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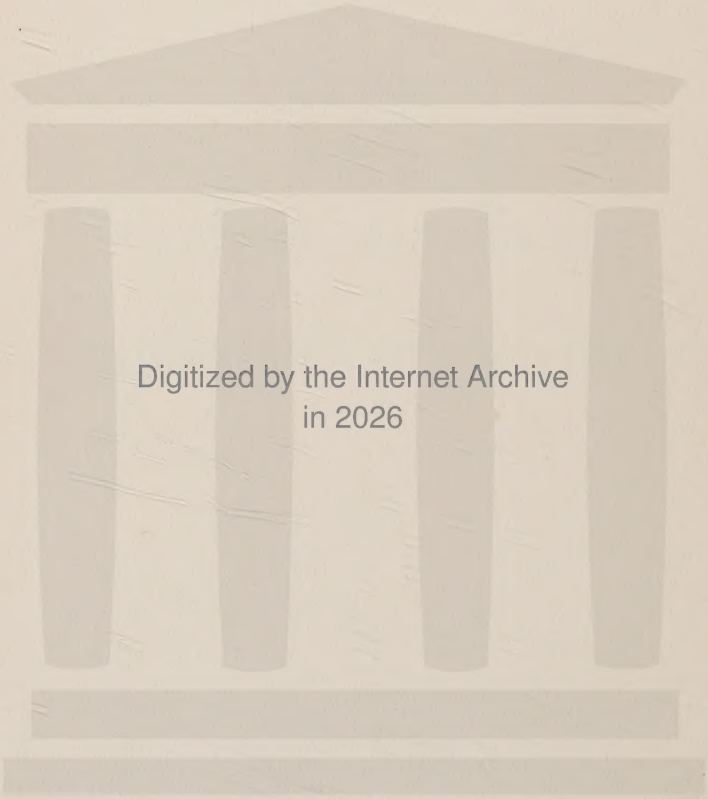
THE POLITICAL THOUGHT

OF

HEINRICH VON TREITSCHKE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THE POLITICAL THOUGHT OF HEINRICH VON TREITSCHKE

BY

H. W. C. DAVIS M.A.
FELLOW OF BALLIOL COLLEGE, OXFORD
SOMETIME FELLOW OF ALL SOULS' COLLEGE

"Fas est et ab hoste doceri."

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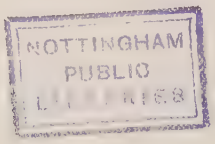
PREFACE

This book—which is mainly composed of selections from the work of Treitschke—has not been put together with a controversial purpose, but in the belief that Englishmen may find it worth their while to understand the political philosophy which is now the vogue in Germany. Though I have sometimes criticised, criticism has not been my main object. I have attempted to explain how the thought of Treitschke was influenced by the events of his own lifetime, and how his famous lectures upon *Politik* grew out of the polemical essays which he wrote between 1860 and 1878. These essays referred directly or indirectly to current questions of German politics; what abstract thought they contain is coloured by controversial considerations and partisan sympathies. But the *Politik* is little more than a symmetrical and co-ordinated restatement of the positions which he had defended in the essays. For this reason, that it reflected the views which had gained the upper hand in German controversies, the *Politik* has been enthusiastically applauded by German readers; but for the same reason the book seems inexplicably one-sided to a foreign reader until he has retraced the process by which the author formed his ideas. It has been

no part of my scheme to estimate the worth of Treitschke as a historian. But it may be useful for English students to have before them, in an English form, some of the principal passages from the *History of Germany in the Nineteenth Century*, which explain why the author believed, and taught his pupils to believe, that England was a decadent State, relying for her preservation upon a tortuous and immoral foreign policy. A collection of these passages will be found in the tenth chapter.

My thanks are due to Miss Winifred Ray for the skill with which she has made the necessary translations under my supervision.

H. W. CARLESS DAVIS.



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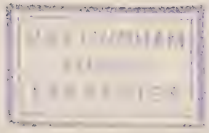

EDITIONS CITED

Heinrich von Treitschke's Briefe. Herausgegeben von Max Cornicelius. 2 vols. Leipzig, 1912–1913.

Historische und politische Aufsätze von Heinrich von Treitschke. Vol. II. Die Einheitsbestrebungen zertheilter Völker. Fourth Edition. Leipzig, 1871. Vol. III. Freiheit und Königthum. Fourth Edition. Leipzig, 1871.

Zehn Jahre Deutscher Kämpfe. 2 vols. Third Edition. Berlin, 1897.

Deutsche Geschichte im Neunzehnten Jahrhundert von Heinrich von Treitschke. Vol. I. Seventh Edition. Leipzig, 1904. Vol. II. Fifth Edition. Leipzig, 1897. Vol. III. Fifth Edition. Leipzig. 1903. Vol. IV. Fourth Edition. Leipzig, 1897. Vol. V. Fourth Edition. Leipzig, 1899.

Politik: Vorlesungen von Heinrich von Treitschke. Herausgegeben von Max Cornicelius. 2 vols. Second Edition. Leipzig, 1899-1900.

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CHAPTER I

EARLY LIFE, 1834–1857

HEINRICH VON TREITSCHKE was born at Dresden on September 15, 1834. His father was a distinguished Saxon officer, of Czech descent, who had first seen military service in the War of Liberation against Napoleon ; his maternal grandfather had fought under George Washington in the American War of Independence. Such family traditions help us to understand the enthusiasm with which Heinrich von Treitschke writes of war, as the mother of States, the noblest activity of the citizen, the school of the deepest and truest patriotism. The Slavonic strain in his blood is also worth remembering ; it may afford an explanation of the fiery temperament which made him a political crusader from his school-days upwards. Otherwise his antecedents and his early upbringing had no very obvious influence upon the formation of his mind. In after years he wrote to a fellow-historian :—

" I was brought up in the atmosphere of the Court of Dresden, in circles whose one political idea was hatred of Prussia. If therefore I think highly of Prussia, this conviction is at least the fruit of independent study." [1]

His father was a typical Saxon in politics and character ; by no means uncultivated, for he had read widely in the literature of several European languages, and had written

[1] *Briefe*, ii. No. 428.

sedulously, if indifferently, both in prose and verse ; but full of an old-fashioned loyalty to the Saxon royal house, which prevented him from sympathising with any proposal to establish a national constitution at the expense of the ruling dynasties. He encouraged his son in literary pursuits, but on political and religious questions they drifted so far apart that General von Treitschke once spoke of his son's opinions as the second sore trial of his old age. The General was a staunch Protestant, while his son parted company with all dogma before he had finished his university career. In a sense Heinrich von Treitschke was always a Protestant. He believed in the rights of the individual conscience ; and he said that Kant's Categorical Imperative pleased him more than any form of Utilitarianism, not because it was more capable of proof, but because it gave him a greater sense of repose. He was also a sworn foe to Roman Catholicism, both as a moral and as a political force. But neither those convictions nor this antipathy sufficed to make him orthodox in his father's sight. With his mother he had more in common. She was impatient of *Kleinstaaterei*, and showed some appreciation of the political opinions in which her son grew only the more obstinate under the stress of his father's criticism.

Almost from childhood the future historian was keenly interested in the political questions which filled the minds of his most inspiring teachers. His school-days were spent at Dresden in a critical period of Saxon and of German history. At the age of fourteen he was the spectator of an abortive revolution which was signalised by some hard fighting in the Dresden streets. One of the masters of his gymnasium became a revolutionary leader ; and the young Treitschke was in sympathy a Liberal. He expresses his disgust at the refusal of King Frederick Augustus to accept the Frankfort Constitution—and this at a time when his father was in command of royal troops. The Rector of the gymnasium did his best to divert his pupils from political controversies ; but they nevertheless found their way into

the curriculum. We hear of an oration, delivered at a school prize-giving, in which Treitschke vindicated the services of Prussia to the cause of German unity. At Dresden he acquired a sound acquaintance with the classical languages, and a taste for Greek literature, which never wholly deserted him. In after years he used to inveigh against the modern craze for cramming boys with miscellaneous information, until they became "two-legged encyclopaedias." The old humanistic course, he said, had produced not only more exact habits of thought, but also a wider range of intellectual interests than he found among the auditors of his Berlin lectures. Still, when at the age of sixteen, he entered upon his university course, he turned his attention from the classics to the study of political economy, political science, and history, not so much from any definite views concerning his future career as from a desire to form his judgment on political questions.

After the fashion of the time he roamed from one university to another, in search of teachers who could best satisfy the needs of the moment or of a library which contained the necessary literature. Bonn pleased him best. Here in 1851 he fell under the influence of Dahlmann, eminent as a historian, but still more remarkable as a political theorist, who was in a sense the founder of the Prussian School of history; an advocate of constitutional monarchy who hoped for the union of Germany under a liberal constitution and the leadership of Prussia. Next, at Leipzig in 1852, Treitschke sat under the famous economist Roscher, and listened to the course of lectures which was afterwards published under the title *Die Grundlagen von Nationalökonomie*. Though Treitschke never displayed any great enthusiasm for political economy, he was impressed by Roscher's leading thoughts. He welcomed the revolt against the abstractions and deductive reasoning of Ricardo. He realised the national importance of the economic revival which Germany had witnessed after the establishment of the Zollverein, seeing in it, besides the hope of national

wealth, a school of practical capacity and of the virtues which make self-government both possible and useful. We recognise the influence of Roscher when the young student exults, in 1854, that Prussia has obtained a harbour on the North : " Yet another attempt to remove the old humiliation which has for so long made the first seafaring nation of the world a stranger to the sea." [1]

For a time, indeed, the ideas of these great teachers lay undeveloped in his mind. Some years elapsed before he found out the line of study best suited to his aptitudes and interests. He dabbled in the theory of aesthetics, he was tempted towards journalism, he had serious thoughts of devoting himself to poetry. But his political views were forming themselves more rapidly and decidedly than he was himself aware. It is significant that his first volume of poetry, *Vaterländische Gedichte* (1856), was inspired by his discontent with the state of German politics, and was intended to show that Germany still suffered from the same evils as in the Middle Ages. " There are many bitter words in this little book ; they only express the sensations which every thinking man has experienced in the last few years." [2] In the last resort his poetry was inspired by political convictions, and by a wide, though unsystematic course of historical reading. He discovered his true vocation when he began, as a young doctor, to give occasional courses of lectures. It was easy for him to express his views with method and with vigour in a spoken discourse. He also realised, as many other teachers have realised, that his own studies were helped by personal contact with an audience, that his mind worked more freely and his conclusions shaped themselves more clearly when he was lecturing. This experience, and financial considerations which he could not disregard, turned the scale against poetry and in favour of an academic career. He settled down, though not without a struggle, to the systematic study of political science.

Thus in 1855 and 1856 we find him busy with the Politics

[1] *Briefe*, i. No. 97. [2] *Ibid.* No. 147.

of Aristotle and the Prince of Machiavelli. Any reader of his lectures upon *Politik* will recognise the extent of his debt to these two books. One is led to suspect that these lectures, in their original form, must have followed rather closely the headings of the Politics. However this may be, the course, as we have it, is based upon the leading ideas of Aristotle and Machiavelli. Treitschke was delighted with the Greek conception of the State as an end in itself, as an ideal community for which the individual is bound to sacrifice his private interests and desires, as the cradle of all morality and all civilisation. He sympathised with the lofty idealism of the antique world, with its contempt for mere economic development and for the mechanical existence of men absorbed in the pursuit of wealth.[1] Machiavelli he accepted with more reserve ; but he finally came to the conclusion that here he had found a thinker who was, like Goethe, born to be the " physician of an iron age." Of Machiavelli he wrote to a friend :—

" He is indeed a practical statesman, more fitted than any other to destroy the illusion that one can reform the world with cannon loaded only with ideas of Right and Truth. But even the political science of this much-decried champion of brute force seems to me moral by comparison with the Prussia of to-day. Machiavelli sacrifices Right and Virtue to a great idea, the might and unity of his people ; this one cannot say of the party which now rules in Prussia. This underlying thought of the book, its glowing patriotism, and the conviction that the most oppressive despotism must be welcome if it ensures might and unity for his mother country—these are the ideas which have reconciled men to the numerous reprehensible and lawless theories of the great Florentine." [2]

Discontent with the political state of Germany was driving him to accept one-half of Machiavelli's teaching, to

[1] *Briefe*, i. No. 136. [2] *Ibid.*, No. 146.

believe that whatever else the State may be or may aim at, it must be armed with irresistible force to shatter opposition and to cow the mutinous. On the other hand, he owed to Aristotle a profounder understanding of the nature of the State than Machiavelli ever reached. For Treitschke the State had the right to be omnipotent over the individual because the individual could never develop or live a worthy life without the State's protection and guidance; because the State was the supreme moralising and humanising agency in human life. On these grounds he held that the first duty of the statesman was to consider what things the State in its own interest ought to do; the second duty was to consider the means by which these things could be done. The moral law, commonly so called, was only a law for the individual citizens of the State. For the State no moral law existed but that of maintaining its existence and developing its potentialities. So Treitschke passed from Aristotle and Machiavelli to the study of *Realpolitik*, of which he found a congenial exposition in Rochau's *Grundzüge der Realpolitik*, an essay which he found in the Heidelberg library; no author he said, destroyed preconceptions and illusions with more trenchant logic.[1]

The cult of the State was less fashionable then in German universities than it has since become. Many German teachers were turning their attention from politics, the science of the State, to sociology, the new science of society in its non-political aspects. The assumption of the sociologists was that economic relations, scientific progress, and intellectual movements do more to mould the individual than can ever be done by state-authority. A society is a living organism; the State is a mechanical structure which exists to protect society. Society has unbounded claims upon the allegiance of the individual; but the State is only

[1] *Briefe*, No. 152. A. L. von Rochau (1810–1873) published his *Realpolitik* in 1853. The main idea of the book was *Der Staat ist Macht*. It contained a prophecy that Germany would only be united by force, by one state which was capable of coercing the rest. Treitschke gives an account of Rochau in *Aufsätze*, vol. iv. pp. 189-196.

needed for definite and circumscribed objects, and has only to be obeyed in so far as the interests of society demand such obedience. Against this doctrine Treitschke hurled himself with characteristic vehemence. He attacked it in a dissertation which he presented to the University of Leipzig in 1857. The main idea of his essay was already in the air; he discovered, when he had nearly completed the work, that it had been anticipated by Ihering in his *Geist des römischen Rechts*. But, as it became the inspiration of all Treitschke's later work as a historian and a publicist, it deserves to be stated here. As Roscher had argued that every State must have its own system of political economy, so Ihering and Treitschke argued that every nation must have its own peculiar form of State. A State is the product of the legal and moral ideas and of the economic conditions of a people. In other words, it is produced by what Treitschke's opponents called sociological conditions. A society generates a State, and the two things remain inseparable. Neither can be studied in isolation from the other; neither should be exalted at the expense of the other. Further, no form of State is either good or bad in itself. There is no such thing as an ideally best State. A constitution is to be judged with reference to the social conditions of the people who have made it and who live under it.[1]

The immediate result of this essay was that Treitschke obtained the right to lecture in Leipzig. A more important consequence, and the logical corollary of his theory of the State was that he began to study modern history, and especially German constitutional history. His lectures on German history attracted great attention; and within a short time he began the studies upon which his greatest historical work was to be founded. His first intention was to write a history, which should also be an indictment, of the German *Bund*; and he did not propose to go beyond the printed sources for his facts. But the work grew on his hands. As his outfit of historical scholarship increased he

[1] *Briefe*, i. No. 193.

realised that an adequate treatment, even of constitutional history, would only be possible when the archives of the principal German states had been examined; and his researches only confirmed his theoretical conclusion that a constitution, however academic and futile it may seem, cannot be judged in isolation from other aspects of national life:—

"The kernel of the subject is not to be found in the Congresses and the negotiations of Estates, but in the truly marvellous development of public opinion, or of the soul of the people or whatever else you like to call it." [1]

But for a long time his preliminary studies were diversified with other occupations. He was fiercely interested in politics, especially in Prussian politics; for he was every day more convinced that national salvation depended on the growth of a Greater Prussia. He became a prolific publicist; he wrote literary and historical essays on the most various subjects; and, if he had died before 1879, he would have left behind him neither a great history nor a systematic treatise on politics. There was, however, more method in his multifarious activities than appeared upon the surface. His literary and historical essays were studies preliminary to the *Deutsche Geschichte*; his political essays were similarly useful as material for the *Politik*; and there was always a close connexion between his historical studies and the progress of his political ideas. His essay on the United Netherlands was suggested by his interest in federal forms of government that on Bonapartism by his desire to prove the superiority of constitutional monarchy to the most enlightened Caesarism.

[1] *Briefe*, ii. No. 332.

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CHAPTER II

"DIE FREIHEIT," 1861

We are chiefly concerned with the political essays; and of these *Die Freiheit* is the first which claims attention. It was written in 1861, at an early stage of Treitschke's political evolution, and it shows us a Treitschke in some respects very unlike the Treitschke of the later and maturer *Politik*. *Die Freiheit* is a review of Mill's Essay on Liberty, a review which attacks the fundamental assumptions of Utilitarianism, which puts the case for a strong State, and for a State that is more than the means of realising individual happiness. This we should naturally expect. But when Treitschke passes from negation to affirmation, it is surprising how much of humanism and of Liberalism he has retained in his revolt from the lines of thought then fashionable in the smaller German States.

"How lifeless, how sterile are the supporters of absolutism in their opposition to the demands of the nations for liberty! It is not a case of two mighty streams of thought rushing in mighty billows one against the other, until out of the whirlpool a single new stream emerges to flow along a middle course. No! there is one stream which surges against a rigid dam, making for itself a way through thousands of fissures. Everything new which the nineteenth century has created is the work of Liberalism. The enemies of liberty can only persist in negation, or waken to the semblance of new life the ideas of days which have long since been submerged. On the tribunes

of our Chambers, through a free press which they owe to the Liberals, with catchwords which they have picked up from their opponents, they champion principles which, if carried into execution, would destroy all freedom of the press and all parliamentary life."

No doubt, to a German writing in the year 1861, political Liberalism meant first and foremost the idea of a united Germany for which German Liberals had contended in 1848. And already, in Treitschke's mind, the national State was enthroned as the idol of his dreams. But the Liberals had proved themselves singularly incapable of establishing a national German State. When Treitschke desires to illustrate the victory of Liberal principles, he selects one of the propositions laid down in the American Declaration of Independence: "The just powers of government are derived from the consent of the governed." When he wishes to define liberty in the political sense, he contends that it means "ruling and being ruled at the same time." The State of his dreams is therefore to be so organised as to satisfy Liberal aspirations. Its claim upon the loyalty of the citizens is to be absolute because its government is their government. Only he contends—and here he differs from the extreme German Liberals—that such freedom may be realised under a monarchy no less than under a republic. Thoroughly Liberal again is the prophecy that a free and great German State will come into existence as a natural development from the internal freedom of trade which the Zollverein had secured. This prophecy deserves quotation if only to show how radically, in the next few years, Treitschke revised his estimate of the ways and means most calculated to produce German unity. The nation, he suggests, must be left, as far as possible, to work out its own destiny. Even if a popular government should by some miracle be called into existence, it ought to leave the free forces of society to take their natural course and produce their appointed fruit :—

" Yet a State, ruled by a Government elected by a majority of the people, with a Parliament, with independent laws, with self-governing departments and municipalities, is for all that not yet free. It must set a limit to its activity, it must recognise that there are private possessions, so high and inviolable that the State can never subject them to itself. The fundamental laws of modern constitutions should not be ridiculed too lightly. In the midst of their phrases and their foolishness they do contain the Magna Charta of individual freedom, which the modern world will never again surrender. Freedom of belief and of knowledge, of trade and of traffic, is the battle-cry of the time. It is in this sphere that the achievements of the age have been greatest; this notion of social freedom constitutes for the great majority of men the summary of all their political ambitions. It may be asserted that, whenever the State has made up its mind to allow any branch of social activity to develop itself without restriction, this toleration has been richly rewarded, and all the prophecies of nervous pessimists have been proved false. We have become another people since we have been drawn into the world of daring and aspiration of a universal commerce. Two centuries ago Ludwig Vincke, in the capacity of a careful president, explained to his Westphalians how it was possible to construct a highway by means of a share-holding company, in accordance with the English fashion. To-day a close net of independent companies of every kind is spread over the whole of Germany; at any rate, through their traders, the German people will share in the noble destiny of our race, that they shall enrich the whole earth. And even at the present day it is no empty dream, that out of this world-commerce there will be evolved at some future date a political science, in whose world-embracing vision all the activities of the great powers of the present day will appear like the miserably insignificant operations of small States. So immeasurably rich and various is the nature of freedom. Therein lies the

consoling certainty that at no age is it impossible for the triumph of freedom to be effected. For though from time to time a government may succeed in undermining the partnership of the people in its legislation, only the more ardently will the passion for liberty of the modern man apply itself to domestic or intellectual productiveness, and success in the one sphere will be followed up sooner or later by success in the other. Let us leave to boys and to those nations who always remain children that passionate and impetuous pursuit of freedom, as of a phantom which melts away in the hands of its pursuers. A fully developed nation loves liberty as its lawful wife: she lives and works among us, and delights us every day with fresh charms." [1]

Another Liberal trait of the essay, and a trait which survived in Treitschke's mind when most of his Liberalism had disappeared, is the faith in the virtues of free thought and free discussion. It is characteristic that this faith had in it nothing of the fatalism so common among the Liberals of the sixties, which supposed that truth could be left to fight her own battles, that falsehood, however strongly intrenched, would always be routed by the native power of a right idea :—

" Is it true, then, that free investigation has ever powerfully disturbed the tranquillity of society? No, whenever men have torn each other to pieces for the sake of opinions it has been a case of minds long the victims of oppression breaking off the ancient yoke with passionate ferocity. Let us not cradle ourselves in the false security of the theory so constantly reiterated that a supreme power dwells in Truth which will always ensure victory in spite of all persecution. This is, stated in such general terms, a dangerous error. To be sure, Socrates, Huss, Hutten, and the other great martyrs were not in error when they proclaimed with their last breath the immortality of truth. For a wonderful

[1] *Aufsätze*, iii. pp. 12-13.

elevation of spirit may be attained, from which it is vouchsafed to mortals to gaze with a smile on their lips beyond the limits of time. Certainly, a truth, which to-day for the first time thrills a lonely and despised thinker in his closet with a holy joy, will somewhere and at some time be preached from the house-tops, even though he carry it unuttered to his grave. To deny this is to question the divine nature of humanity. But we who are living at the present time must earnestly probe the true signification of that ambiguous assertion that every people does actually in the end satisfy its spiritual and material needs. This really means no more than to say: of the imperishable human possessions—Freedom, Truth, Beauty, Love, each nation acquires just so much as it can obtain and preserve by its own strength. For whole centuries whole nations came and went, who discovered great and fruitful truths, but they were not able to preserve them through the hard struggle with the powers of indolence and lying. Have we not still among us that House of Hapsburg whose whole history is a never-to-be-forgotten record of the power which a crude despotism may have to establish a lordship over the spirit? Therefore we must watch and struggle to the end that Truth, which is only imperishable for the whole of humanity, may win recognition and freedom here and now in this span of time and among this handful of men which we call our own."[1]

Die Freiheit, in fact, although it is inspired with a poet's enthusiasm for the humanest of political ideals, is also a battle-cry. In the first lines of the essay the author declares war upon the cosmopolitanism, the *Weltbürger-Sinn*, on which the cultivated Germans of the smaller States were inclined to pride themselves. The hope of the future, Treitschke holds, must be looked for in the national State based upon an intense pride of nationality and scrupulous reverence for all national idiosyncrasies:—

[1] *Aufsätze*, iii. p. 31.

"When will they ever become extinct, those anxious souls, who feel an obligation to aggravate life's burden by troubles born of their imagination, to whom every progress of the human soul is only one more sign of the decay of our race and of the approach of the day of judgment? The great majority at the present day are beginning—God be thanked!—to feel once again a firm and strenuous belief in themselves; but we are still all too weak, at any rate if we are to judge by the gloomy forebodings of those pessimistic souls. The notion that a universally-extended culture will finally displace national customs by customs for all mankind, and turn the world into a cosmopolitan primitive hash has become a commonplace. Yet the same law holds good with nations as with individuals—that their differences appear less in childhood than in riper years. If a nation has the power to preserve itself and its nationality through the merciless race-struggle of history, then every progress in civilisation will only develop more strikingly its deeper national peculiarities. We Germans acquiesce in Paris fashions; we are bound to neighbouring nations by a thousand interests; yet our feelings and ideas are undoubtedly at the present day more independent of the intellectual world of the French and the British than they were seven hundred years ago, when the peasant all over Europe lived in the bondage of primitive custom, when the priesthood in all countries drew its knowledge from the same source, and the nobility of Latin civilisation shaped for itself beneath the walls of Jerusalem a new code of honour and of morals. Moreover, the active exchange of ideas between the nations of which the present day justly boasts has never been a mere give and take." [1]

Here, he admits, he reaches controversial ground. But it is the controversial conclusion which he most desires to drive home. If Liberalism stands for the free Government

[1] *Aufsätze*, iii. p. 1.

of a free people, and for the development of all the latent capabilities in the people, then the ultimate consequence of Liberalism is to foster nationalism. And this is what he desires that Liberalism should work for. Nationalism is the final and the crowning stage of political evolution :—

"If the moral conscience of the nation does really form the just and ultimate groundwork of the State; if the nation is really governed in accordance with its own will and with a view to its own happiness, then there arises automatically the desire for a nationally exclusive State. For where the living and indubitable consciousness of unity pervades all the members of the State, there and there only is the State what its nature requires that it should be, a nation possessing organic unity. Hence the impulse to amputate alien elements of the population, and hence the instinct of divided nations to break up the smaller of their two 'mother countries.' It is not our intention to describe the numerous limitations and qualifications to which this political liberty must of necessity be subject. Enough that there does exist everywhere the demand for the government of nations in accordance with the national will. The demand is now raised more generally and more uniformly than at any previous time in history. That it will ultimately be satisfied is as certain as that the being of a nation is more permanent, more justified, and more robust than the lives of the rulers who are its enemies." [1]

There is indeed a wide gulf fixed between Treitschke in his most Liberal mood and such a Liberal as Mill, or as Wilhelm von Humboldt, from whom Mill derived the idealism with which he adorned and dignified the individualism of Jeremy Bentham. The difference becomes most apparent when Treitschke seems to be following most closely in Mill's footsteps. Nothing in Mill's Essay on Liberty appealed so forcibly to Treitschke as the statement that popular govern-

[1] *Aufsätze*, iii. pp. 8-9.

ment may coexist with social intolerance, that the spiritual despotism of the majority may be more deadening than the rule of a Louis XIV. or a Napoleon. But Treitschke takes the opportunity to introduce, as a foil to his picture of German middle-class mediocrity, his conception of the men who are needed to act as the spiritual saviours of society. Mill, one may say without much injustice, had put in a plea for the faddist; Treitschke asks liberty for the political fanatic:—

"All highly-developed morality is based on a genuine self-knowledge, but just as we find stunted bodies, so do we find souls in which one organ or another is entirely absent. Let us be grateful to every man who can humbly admit this, to all those strong one-sided natures, who willingly sacrifice breadth of culture for a thousandfold gain in strength and depth. These men ask imperiously for either hate or love. Though their understanding be finally closed against many of the great blessings of humanity, their character is none the less harmonious, for it shows an exquisite adjustment between strength and ambition. How high they tower above those detestable mediocrities, who are becoming so terribly numerous at the present day, men who will offer you now a remark about the Sistine Madonna, now an opinion on Bonapartism, now an observation on the steam-engine—seldom anything absolutely stupid, but even more seldom anything shrewd, and absolutely never one of those strong original sayings at which the friend of humanity laughs in his heart, and the hearer exclaims in silent exultation: 'That was the man himself. None but he could have said it just so.' The present age boasts—and with justice—that never before have culture and well-being been distributed over such a large proportion of humanity. On the other hand, we find in the society of the present day a strong impulse to tolerate nothing which surpasses a certain standard—certainly a liberal standard—of thought and sentiment, and of the

great teaching of Humboldt to preserve only the husk—the many-sidedness of culture, but not the kernel of his teaching —namely the individuality of culture and of talent. If there was once a time when the unrestricted freedom of will and of action of individuals endangered the existence of society, and a later age offered the gay and animated spectacle of varied class-customs, the danger at the present day on the contrary is that, by a slow irresistible pressure, the customs and notions of one particular class of society will suffocate all individual and personal inclinations and ideas." [1]

Still, when all deductions have been made, this peculiar Liberalism of Treitschke has undeniable nobility. He desires a strong government for Germany, but a government which is based on popular consent, and in which the ordinary elector has the opportunity to play an active and even an important part. In later years he was accustomed to argue that, at the best, the average citizen could only exercise a negligible influence, and to argue that every government is free if it rules under rational laws which the people approve and obey of their own accord. At the age of twenty-seven he was more sanguine. He hoped for a German State in which not only would local government be left in the hands of officials elected by popular suffrage, but the central executive also would be brought under popular control by an efficient parliamentary system. There must, he said, be self-government in every branch of the administration from the highest to the lowest. Not until he became a professor of Berlin did he throw overboard this early constitutionalism and argue that even the subjects of the Great Elector had been free in the truest sense of the word; that a vote means nothing, and that local self-government must become government by a local aristocracy. It is cheering to believe that his earlier ideal has still some advocates in Germany; that *Die Freiheit* is still read and admired by those who have before them the maturer, less amiable doctrine of the

[1] *Aufsätze*, iii. pp. 33-4.

Politik. *Die Freiheit* preaches the gospel of the State ; but of such a State as we can gladly serve and reverence :—

"Though we continue at the present day to quote cheerfully the words of Humboldt with reference to the all-round development of the human being as a cultivated and energetic individuality, we must realise that the old doctrine has another significance at the present day. For this age is a new age ; it does not exist merely on the wisdom of the ancients. That inward freedom which turned away without either joy or sorrow from the necessary evil of an unemancipated State no longer suffices us. We want to have free men in a free State. But the liberty of the individual which we have in view can only flourish under the protection of political liberty ; and the all-round cultivation of the individual for which we are striving is only really possible when the spontaneous performance of various civic duties enlarges and ennobles the human mind. Thus every consideration of moral questions brings us into the province of the State. Ever since the lamentable condition of this country has contrasted so ludicrously with the advanced ideas of its inhabitants, ever since noble hearts have been seen to break under the intolerable burden of the people's suffering, something of the patriotism of the ancients has entered into the hearts of the best of the German people. The thought of the Fatherland brings us warning and guidance in the midst of our most private affairs. If there is any thought at the present day which can admonish a true German to moral courage more powerfully than the sense of an obligation common to all humanity, it is this thought : Whatever you can do to become more pure and manly and free is done for your nation." [1]

[1] *Aufsätze*, iii. pp. 41-2.

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CHAPTER III

TREITSCHKE AND BISMARCK (1861–1866)

FROM the moment when Treitschke began to lecture at Leipzig, his popularity as an academic teacher was assured. He devoted himself to the exposition of recent German history, and worked unremittingly to make good his defects of equipment. Until 1861 his best work was given to his Leipzig courses. Of these he writes to Max Duncker (February 24, 1861) :—

" I have been able to do absolutely no work for myself. My lectures have, in fact, become fashionable. I have an audience of more than two hundred, and you will realise that this has compelled me to raise my own demands for my eloquence. The question of remuneration has not been neglected. The Minister and the President have not judged it unbecoming to appeal to me on my mortal side : that is to say, they have seriously alarmed my father by murmured hints of the " Apostle of Prussia." I shall probably not go back to Leipzig again. I can work more freely and with less distraction from personal concerns in any other place. But where ? As yet I have no idea. Never was my future more obscure. To begin with, I shall work at Munich ; and, if it is at all possible, I shall not forget the Almanac." [1]

In April 1861, having obtained leave of absence from Leipzig, he settled down for some months at Munich to

[1] *Briefe*, ii. No. 288.

work systematically on a history of the German Confederation. The point of view from which that history would be written was already clear to him. When he made himself at Leipzig the "Apostle of Prussia" he was already convinced that the only hope for Germany lay in a complete breach with the ideas which had animated the founders of the Confederation. He desired the overthrow of the Confederation and the establishment of a Prussian supremacy over the smaller States. But he knew that it would be a long and arduous business to convert public opinion outside Prussia. And he was determined to serve as a missionary; to demonstrate from the history of the years 1815–48 the defects of the Confederation and the impossibility of uniting Germany in any real sense of the word by means of a constitution so weak and so capable of being abused; and incidentally to prove that, however great might have been the mistakes of Prussian policy in the last fifty years, Prussia alone possessed the material resources and the traditions of policy which were essential for the successful leadership of a united Germany. The vindication of Prussia could be best effected by bringing to the knowledge of the German public the elementary facts of Prussian history, in such essays as *Das deutsche Ordensland Preussen*[1] which he wrote in 1862. That essay, he said, was bound to be useful because he lately discovered that, in a society of Saxon professors, no one but himself had ever heard of Marienburg, the capital from which the Teutonic knights had governed Prussia. The indictment of the Confederation was, he knew, a harder task; though he characteristically imagined at the commencement of the work that he would be able to finish it in two or three years. On reaching Munich he sketched his plan of work in a letter addressed to Ludwig Aegidi, a friend of his student days:—

"I intend (you need not let this go any further) to write a history of the Confederation and of the small

[1] *Aufsätze*, ii. pp. 1-76.

states from 1815 to 1848; not of course a work based on the study of original sources, which would be impossible, but a conscientious and, above all, a thoroughly uncomprising presentation of the facts contained in scattered narratives; perhaps in the style of Rochau's French History, but better than that work, wherever possible. That is to say, I propose to trace out particularly the changes in the spirit of the nation, which at the present day, even in our stubborn people, take place with such amazing rapidity. I want the book to produce an effect. I want to show palpably to the indifferent and the thoughtless in what miserable triviality, and in what sinful dissipation, this great people is wasting its most precious forces. Naturally, I am prepared for the possibility that, at the end of three years, by which time I hope to have mastered the enormous mass of material, the book will have become superfluous, and the German Confederation will have been gathered to its fathers. I am not trying to investigate unfamiliar sources, but if any such should happen to come under your notice, I earnestly implore you to inform me of them. Apart from this, I shall, in the course of the work, be frequently obliged to come to you for advice.

"You will ask how I came of my own accord to form this scheme. I think that such a book as this is needed by our people, who set such a high value on books. A gloomy discontent is spreading at an alarming rate. Gradually we shall find ourselves in the right mood to think better of ourselves and of our recent shame. I should like to help this on as much as I can, because most historians recoil affrighted from the repulsive task. The jurists, to be sure, understand a portion of the matter better than I, but not the whole." [1]

The work grew on his hands, and he was sometimes appalled at the mass of literature with which he had to deal. When he returned to Leipzig from Munich (January 1862)

[1] *Briefe*, ii. No. 294.

he had only made a beginning. Henceforth the Bund was the main subject of his lectures; and in the intervals of lecturing and political controversy he continued his researches. That in academic eyes he was still rather a publicist than a historian is shown by the invitation, which he received in 1863 from the University of Freiburg, to become a Professor of Political Science and Public Finance. The authorities at Freiburg needed a man who would equip embryo administrators with an outfit of general ideas. After some hesitation he accepted the offer :—

" My sphere of action is wider here than in F[reiburg]. My material situation would there be seriously changed for the worse. Finally, I lecture here on historical subjects, which harmonise with my inclination and with my own educational development; while there I should be engaged in occupations much more remote from my own interests. In spite of this, I have, in the meantime, declared myself ready to undertake it; for, when it is a case of a first post, one must not be too exacting, and—it would be a great joy to me to live at last under a decent administration. Had they simply required a professor of public finance, I should immediately have declined the post, as my knowledge of political science is entirely historical and political. Instead of this, they have made me an offer, which seems to me not quite clear and in fact contradictory. They want particularly not to have a technical expert, but a political scientist, who shall instruct future officials of finance concerning the political and social significance of the chief branches of their calling, and also cover in lectures a wide ground in political science, the history of political theories, and so forth. For the last task, I think I do possess the qualifications; for public finance itself my inclination and my preparation are far less. But I know of no teacher who could fill both these widely different requirements." [1]

[1] *Briefe*, ii. No. 369.

The years spent at Freiburg (1863–6) were by no means wasted. Treitschke found his duties as a teacher of political science thoroughly congenial ; and he now laid the foundations of the famous course on *Politik* which he was afterwards to deliver at Berlin. As a publicist he achieved the height of his reputation by his lengthy attack on the gospel of Bonapartism—which was in a form a review of the Life of Julius Caesar by Napoleon III.—and by the essay on " Federalism and Centralisation " (*Bundesstaat und Einheitsstaat*) which has been judged not only the finest of his political writings, but the most weighty utterance of all that school of German publicists who fought the battle of German unity in the middle years of the nineteenth century.

This essay appeared in 1864. It was an invitation to Prussia to attack the smaller States and incorporate them with herself. It is a more powerful production than *Die Freiheit*, more closely reasoned, more obviously founded upon historical study and practical experience. But it also shows that Treitschke was travelling fast and far from that idealism of his student days which throws a golden haze over the pages of *Die Freiheit*. We are not surprised that old General von Treitschke should now begin to denounce the " Jesuitical " morality of his son ; for the assumption of *Bundesstaat und Einheitsstaat* is that, for the statesman, the end justifies the means. It is more surprising that Treitschke should be growing reconciled to Prussian methods of domestic government which, at their best, were a long way from corresponding to those of his ideal free State.

Perhaps the most interesting feature of his mental development in these years was the alternation of fits of revolt against the principles of Prussian Junkerdom with other fits of conviction that, even though the Prussian idol had feet of clay, there was no other possible centre of German national unity. His feelings swayed in the one direction or the other according as he was for the moment concerned with the actual policy of Prussia, which he disliked, or with her historical development, which he could not admire too

highly. What he had thought of Prussian politics in the years 1861–3 may be seen from the following utterances to private friends :—

" I realise that for Germany there is only one hope of salvation, namely, a united and indivisible monarchy. Any suggestion of a federation of monarchies seems to me a contradiction in terms ; any hope of a republic is folly, as long as there is nothing which corresponds with these ideas in the life of our nation. Prussia, then, has no choice. She must triumph with the help of the German people. And for this very reason the crisis in Prussia must finally culminate in a healthy ebullition. I hope the nation will do its duty, and elect as democratic a Chamber as possible. Then the course will be clear, as befits a valiant people. But only try the effect of a Junker ministry or a *coup d'état* : it is no time for such madness. The situation is ripe for a final decisive break with Junkerdom ; for it is Junkerdom which is the Achilles' heel of the North, just as Ultramontanism is that of the South. The North German nobility has not felt, as that of South Germany felt after the collapse of the spiritual estates in 1803–6, the mighty hand of a new great era ; it lives in a fashion which would be intolerable to any moderately healthy nation. By a bold step like this, Prussia will have covered half the distance to the German crown. For the consciousness of our shame is too universal. Only one thing hinders the great majority of the German people from saying frankly : ' We want to be incorporated with Prussia ' ; and that is the consciousness that, in the questions of the nobility and (closely connected with it) of the military caste, Prussia is unfortunately even more abject than most of the German States." [1]

" To the question, How is Prussia ruled at the present day ? I find in cold blood only one answer : On the side of the ministers, with a frivolity which weighs a sworn oath as lightly as a feather ; on the side of the king, with an infatua-

[1] *Briefe*, ii. No. 295 (April 22, 1861).

tion which allows audacious sophists to declare black to be white and beautiful to be ugly, an infatuation which reasonable men can no longer consider sane or accountable. It is horrible that the State, to which I am as devotedly attached as yourself, should find itself in such a situation, but I am convinced that it is so. And even if this judgment were too severe, my opinion is that, after the constitution has been shattered, those who are attached to it ought not to speak of the well-meant intentions of the subverters of the law of the land; they ought to say nothing which would tend to diminish the just, but unfortunately all too feeble indignation of the country." [1]

On the other hand, his letters also contain passages in which he expresses a supreme confidence in Prussia and even admits that Bismarck, whom he regarded as, in domestic government, the protagonist of the worst form of Junkerdom, was at all events fighting the battles of Prussia and of Germany against Austria and the forces of particularism :—

"It is actually a fact that every square foot of earth which has been conquered for Germany during the last 200 years, has been conquered by Prussia. Believe me, the history of such a State cannot end in despicable folly. It will only really begin when all the envious nonentities and amateur politicians surrounding those who have always invariably been the sole promoters of our welfare have been indiscriminately polished off. I have aged rapidly during this winter, which has afforded such a terrible revelation of the immaturity of our public opinion. I am no longer so presumptuous in my hopes, and I shall be happy if, in my grey old age, I see a Prussian Germany; but that a happier generation will attain this end I do not for a moment doubt." [2]

"If I had to choose between such parties, I should place myself on the side of Bismarck; for he fights for

[1] *Briefe*, ii. No. 376 (July 17, 1863). [2] *Ibid.* No. 406 (May 19, 1864).

the might of Prussia, for our legitimate position on the North Sea and on the Baltic. I would rather support the Gerlach ministry than join myself with the traitors to my country, like Dr. Frehse, and help the enemies of Prussia to hatch plots against our State. I am not and never shall be an admirer of Bismarck, although—according to Roggenbach's certainly not very flattering account—I have a greater respect for him and his Keudell than you seem to have. I look upon it as a duty to support his foreign policy. Some of the methods it employs are detestable, but if it fails, we shall have a second Olmütz, the triumph of all the enemies of the Fatherland." [1]

Up to the outbreak of war between Austria and Prussia the attitude of Treitschke towards Bismarck's government was still one of qualified respect. Treitschke could not forgive Bismarck for his press laws or for his contempt of Prussian parliamentary institutions. On these points he remained obdurate, though he approved enthusiastically of Bismarck's conduct in the Schleswig-Holstein question, which to many people then and since has seemed far less defensible. "In this matter (*i.e.* Schleswig-Holstein) positive law is irreconcilable with the vital interests of our country. We must set aside positive law and compensate those who may be injured in consequence. This view may be erroneous; it is not immoral. Every step in historical progress is thus achieved . . . positive law when injurious to the common good must be swept away." [2] The upshot was that, in public, he defended Bismarck as far as he could, but in private refused any alliance which would make him morally

[1] *Briefe*, ii. No. 474 (Oct. 1, 1865). Ernst Ludwig von Gerlach was one of the reactionary counsellors of Frederick William IV. of Prussia, and a leader of the Kreuzzeitung party. Franz von Roggenbach was one of the Liberal counsellors of the Grand Duke Frederick of Baden. Robert von Keudell was a confidant of Bismarck. At the Conference of Olmütz in 1850 Frederick William IV. had yielded to Austria in the question of the Electorate of Hesse, thereby recognising Austria's pretensions to be regarded as the leading State in the German Confederation.

[2] *Briefe*, ii. No. 459 (May 22, 1865).

an accomplice with Bismarck in the denial of constitutional liberty to Prussia.

"I subscribe," he writes in October 1865, "I subscribe to all that Freytag says about the dishonesty of Prussian policy. But when I look at the opposition party and see there the *Rheinbund* intriguers of the courts of Dresden and Munich and the conscienceless demagogues, who are corrupting an honest people at the bidding of the Augustenburg claimant . . . then I understand that by comparison with such enemies Bismarck is pursuing not only a clever, but even a moral policy. He will do what we need, he will advance another step towards the lofty goal of German unity; those who are men are bound to help him. To misuse those great words Law and Self-Government has always been the trick of knaves. Let them continue their unconscionable and stupid vituperation. The good cause will triumph; the heirs of Frederick the Great will reign in Schleswig-Holstein; and in a short time the nation will be ashamed of its own stupidity." [1]

Bismarck was not slow to appreciate the value of such a supporter as the author of *Bundesstaat und Einheitsstaat.* An opportunity of showing goodwill to Treitschke occurred in December 1865, when the latter wrote asking for permission to use the Prussian archives in the preparation of his history. Bismarck promptly replied in an autograph letter, assenting to the request with an "unheard-of liberality" which was profoundly gratifying to Treitschke. The historian still expressed his intention to avoid any lasting connexion with Bismarck; and the intention was not altered by a personal interview in which the statesman evidently did his utmost to be conciliatory:—

"Personally Bismarck has made a very favourable impression on me; politically, a much worse impression.

[1] *Briefe,* ii. No. 476.

He talked much of his plans for reforming the Confederation, till I could hardly contain myself for astonishment at these fantastic follies. Muddled as he is, I do not on that account despair about the Schleswig-Holstein business. About the war [1] Bismarck spoke very moderately and rationally; he does not desire it, but thinks he can carry it through, if need be, and quite realises that annexation is now a point of honour for Prussia after all that has happened." [2]

Had Treitschke been privileged to attend the Prussian Council of War which met on February 28, 1866, nearly a month before this interview, he would have been better able to commend the views of Bismarck, who had then cast his vote for war with Austria, not only as a means of securing Schleswig-Holstein for Prussia, but with the further intention of preparing by the war for a closer union of the German States. As it was, Treitschke did not feel sufficient faith in the success of Bismarck's German policy to forgive all his sins against the Prussian constitution. While he warned his Liberal friends that, for the sake of the permanent interests of Germany, they ought to forget their resentment against Bismarck, and support Prussia in the coming war with Austria, he declined point-blank to take service under Bismarck. Early in June, before the war broke out, he was asked by Bismarck to place his pen at the service of the Prussian government, and was offered as a reward a professorship at Berlin. Treitschke had already decided to throw up his appointment at Freiburg, if, as seemed certain, the Grand Duchy of Baden declared for Austria; and, since he was meditating matrimony, Bismarck's offer must have offered no ordinary temptations. His refusal under these circumstances is a convincing proof of his disinterested integrity. He wrote to Bismarck on June 7, 1866:—

"The formal scruples which stand in the way of my migration to Berlin are not insuperable. Were I indeed

[1] With Austria.

[2] *Briefe*, ii. No. 504 (March 25, 1866).

convinced that my presence at Berlin would be not altogether unprofitable, I should hold myself bound to give up my professorship, even in a somewhat tumultuary fashion. It is another matter when the question is one of principle. The course which the Royal government has adopted up to the present has not induced me to hope that I could offer it my services, and I have not yet been able to feel any great confidence in the probable success of the reform of the German Confederation. How the situation presents itself to me, and whether my views are at all in agreement with those of His Majesty's Government, Your Excellency will best be able to gather from an article in the Prussian Almanac which I send you herewith. The aim of the essay was to win over a few not yet incurably infatuated Liberals to a reconciliation with the Government; and therefore I had to speak indulgently of the progressive party, and to conceal the limitless contempt which I feel for the fanatics of this party. Apart from this, the essay expresses my opinion exactly. The absolute recognition of the right of the deputies to control the Budget seems to me an indispensable necessity. No art in the world will ever persuade a Prussian Diet to renounce this right.

"Will Your Excellency permit me to point out that this question of right and freedom may very possibly become a vital question for Prussia? The Berlin Cabinet will be enlightened with regard to the worthless character of several of the South German courts. What prevents these courts from going over, with flags flying, to the Austrian camp, is only the characteristic distaste of the small States for action, and an uncertainty as to the disposition of the people, which just now is wavering between its hatred of Prussia and its vague yearning towards Parliament. If it should happen—as I do not anticipate but as is not impossible—that the result of the first battle should be unfavourable to us, and if then the conflict in Prussia has not yet been adjusted, the malice of the small courts, as well as of the

red radicals and of the Austrian party in the South, will probably be more powerful than the opposing efforts of well-meaning patriots, and the South will join itself with Austria.

"It seems to me terrible, that the most distinguished foreign minister whom Prussia has had for centuries, should be at the same time the most hated man in Germany; and it seems to me even sadder that the finest schemes for the reform of the Confederation that a Prussian Government has ever put forward, should have been received by the nation with such shameful indifference. But this fanaticism in the outlook of the Liberal party does exist. It is a power, and it has to be reckoned with. The restoration of the right to control the Budget and the overwhelming force of the war—these are in my opinion the only means which will bring misguided public opinion back to its senses. Even after a victory for our arms, if the internal conflict has not been settled, the unconquerable mistrust of the Liberals will prepare the greatest difficulties in the way of the plans for the reform of the Confederation. Your Excellency has, by the grace of Heaven, been preserved to our nation almost miraculously. May you also succeed in restoring that internal peace, which is essential for the success of your magnificently conceived national plans.

"So long as I live outside Prussia, my task as a political writer is easy. If, however, I were to enter into any connexion with the Royal government, I should be obliged to accept my share of the responsibility for its home policy; and this would be impossible to me, so long as the legal basis of the constitution had not been restored.

"I beg Your Excellency to accept my most cordial wishes for the opening of the great struggle now at length about to begin, and the assurance of my sincere admiration." [1]

Before the end of the month, Baden had joined Austria. Treitschke at once resigned his chair. "I cannot," he

[1] *Briefe*, ii. No. 513.

wrote, " remain the servant of a State which is included in the Rhine Confederation, a body which as a patriot I am bound to injure to the best of my ability." Released from his academic position, he threw himself into the fray of pamphlet controversy with zeal and bitterness, publishing on July 30, four days after Austria had signed the preliminary peace with Prussia, his notorious essay on " The Future of the North German Middle States." It was a demand that Prussia should crown her victory by annexing Hanover, electoral Hesse, and Saxony, the three North German States which had declared for Austria. So far as Hanover and Hesse were concerned, this programme was carried out in the Treaty of Prague (August 23, 1866), which assigned those two states to Prussia " by the law of nations "; Saxony was only saved by the obstinate stand which Austria made on behalf of her old ally.

Treitschke had prophesied the rise of Prussia to pre-eminence. His prophecies had contributed in no small degree to preparing Prussia's triumph. He had insisted so long and so eloquently upon the advantages which Germany would reap from any and every aggrandisement of Prussia, that few German Nationalists were prepared to judge Prussia's conduct by the standards which they would have applied to any other State. For the sake of a national ideal he had helped to debase the political morality of his countrymen. But, as we have seen, he was at least free from any taint of interested motives. He had fought Bismarck's battles as an independent and unpaid ally ; he would have scorned to reap advantage from his exertions on behalf of the national idea.

Singularly enough he was still half a Liberal, still wedded to the doctrines of constitutional Government which he had learned in his student days from Dahlmann. More singular still he remained a believer in Kant's categorical imperative, and spoke with a high seriousness of religious matters. In the new gospel of Force, which was exemplified by Prussia's policy, he saw nothing inconsistent with the moral code

which he had learned from his Protestant father. It pained him that his father should speak of him as not a Christian, as a political Jesuit :—

"Your question, how I stand with regard to religion, surprised me. It grieves me, my dear Father, that you should worry yourself about this, and it grieves me all the more, because I know that it is unnecessary. If it were possible to discuss exhaustively such a great subject in a few words, I am sure that we should find ourselves in complete agreement. I am unable to conceive any great man without a profound religious sense. But as to the form which this religious belief may take in the heart of the individual, it seems to me that there ought to be absolute freedom. A man must experience and build up his own faith. That seems to me the supremely important thing. The universe is so immeasurably large, and we men are so insignificant, that a man must be satisfied if, by some road or other, he can come a little nearer to the understanding of God. I can best seek to accomplish this by seeking to fathom the eternal reason which governs human history. This way suits best with my disposition ; and it thrills me with a deeper devotion than I have ever felt in reading theological works. I think that, in these secret things of the soul's experience, every one must leave others to go their own way, and must hold to the conviction that the religion of a man is best discerned in his morality and his tolerance. I do not admit that those who base their belief strictly on the Bible are justified in holding themselves to be the only true Christians. In the last two thousand years Christianity has changed its shape over and over again ; but its eternal value has not been lost, and never will be lost. If Luther thought it necessary to hold fast to the letter of the Scripture, we have since his time grown older by 300 years, and we have the right to go further than the reformers. I have a sincere and humble conscious-

ness of my own sinfulness and weakness; but I know that it is not the form of my creed which is to blame for my shortcoming." [1]

General von Treitschke no doubt approached the question of religion in a narrow and sectarian spirit. But he saw life steadily and as a whole. He saw that the political principles of his son were incompatible with Christian religion and morality. And his son's reply shows, by its very sincerity, the inconsequence and incoherence which so often develop in the mind of one who has concentrated all his intellectual energies upon one special field of thought. Heinrich von Treitschke was so entirely absorbed in historical and political studies that his opinions on other subjects had become prematurely stereotyped. On religion and morals, for instance, he thought at the age of thirty-two very much as he had thought at the age of eighteen. He lacked the inclination and the energy to reconsider his intellectual position in all its bearings. Therefore his convictions were full of inconsistencies. Even his political principles had ceased to square entirely with his political programme. In politics he was a partially converted Liberal of 1848, preaching with fire and fury the half truths which he had learned by the experience of the intervening eighteen years, and only half conscious of the old stock of Liberal opinions which still formed a large part of his mental furniture.

To the end of his life he remained a Protestant in politics; and a leaven of sturdy Protestant prejudice shows itself, sometimes rather unexpectedly, in his writings. He detested the hierarchical system of the Roman Catholic Church; he detested "Jesuit" ethics also, in spite of his father's belief to the contrary. In a sense his nature was profoundly religious, as was also that of Bismarck. But towards dogma he was contemptuously indifferent. Religion for him was not so much an intellectual belief as an optimism

[1] *Briefe*, ii. No. 407 (May 19, 1864).

for which he acknowledged that he could give no reason, and a noble scorn for material objects of ambition. His faith seems to be summed in the two following sentences :—

" The true good fortune of life must only be sought in an end which is common to all men and attainable by all ; not in the possession of wealth, or in political power, or in art and science, but in the world of feeling, in a clear conscience, in the strength of love, and above all in the power of faith." [1]

" I have thankfully experienced the might of Providence in the great fortunes of my people and the small experiences of my family life ; and I feel more strongly than ever the need to bow myself submissively before God." [2]

[1] *Deutsche Kämpfe*, ii. p. 145.
[2] Quoted by Petersdorff in *Allgemeine Deutsche Biographie*, lv. pp. 301-2.

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CHAPTER IV

THE MOVEMENT FOR GERMAN UNITY, 1848–1866

OUTSIDE his own country Treitschke is known either as the most brilliant historian of the Prussian School, or as a German Machiavelli, the most outspoken advocate of *Realpolitik* in the Bismarckian period. But in Germany itself he is also remembered as one of the makers of the German Empire ; as a publicist who taught his countrymen to expect with confidence the realisation of national unity, and to base large hopes upon the consequences—political and social, moral and intellectual—which were to follow upon their union in a single State. He was the last and greatest in the succession of professor-prophets which began with Dahlmann. Treitschke's most brilliant prophecies were uttered in the sixties. They did not all come true ; but many of his countrymen still hold that the German Empire would be better than it is, if Treitschke's dream of a centralised monarchy had been realised in 1871. It is to the political programme which he advocated in the sixties that we must now turn our attention. Our readers will understand—it goes without saying—that few parts of this programme were the product of his own unaided thought. He was the spokesman of a large and influential school of thought ; and for this reason, rather than because of any striking originality, he at once secured an enthusiastic hearing. No one else, however, expressed the ideas of Prussian policy so pointedly ; and not even Droysen or Sybel used the weapon of historical argument with such

remarkable success. The effectiveness of his arguments was partly due to the fact that he based them upon facts which were still within the range of living memory. Droysen wrote panegyrics of the early Hohenzollerns and elevated the Great Elector to the rank of a national hero. Sybel used the history of the French Revolution to prove the immense superiority of Prussian conservatism over the gospel of Liberty, Equality, and Fraternity. But Treitschke turned to the age of the German Confederation for his instances ; and the ghost of the Confederation still walked the stage of German politics when he was writing. The moral of his story was drawn from the failure of constitutional experiments, for which men still prominent upon the stage had been prepared to shed their blood.

Three alternative forms of union were under the consideration of patriotic Germans at the time when Treitschke wrote his essay, *Bundesstaat und Einheitsstaat.* First of all there was the form which had been tried in 1815—the *Staatenbund* or mere Confederation ; a permanent alliance of German States for mutual defence, which in effect left the sovereignty of the single States untouched, and which possessed no central institutions except a congress of ambassadors (*Bundesversammlung*). The second possibility was a Federal State (*Bundesstaat*), analogous to the United States of America. In the *Bundesstaat* there would be a central executive, a central legislature, and a central judicature, which for certain purposes came into contact with the individual citizen. The powers of the central government would be defined by a rigid constitution. But within its own sphere the central government would be superior to the governments of the constituent States ; and it would not be dependent upon the pleasure of the State-governments, for the enforcement of its laws, its judgments, and its administrative orders. This is the ideal which was realised in the constitution of the German Empire, though it was an ideal which Treitschke, both on historical and on *a priori* grounds, pronounced impracticable. Lastly, there was the possibility

of annihilating the governments of the smaller German States and of establishing a Unitary State (*Einheitsstaat*), which should be simply an expanded Prussia. This was the alternative which Treitschke preferred; and when his hopes were disappointed he comforted himself by arguing that the Empire, though in form a *Bundesstaat*, owed its efficiency to the fact that it was indeed an *Einheitsstaat* skilfully disguised.

In the following passages, taken from the *Politik*, Treitschke discusses the true nature of the Confederation (*Staatenbund*) and of the Federal State (*Bundesstaat*) with admirable historical illustrations:—

"A Confederation of States (*Staatenbund*) differs from a mere international alliance, first of all by its duration. It is seriously planned to endure for eternity as we men conceive eternity. It has for its basis a living consciousness of a common nationality, or of common historical memories. The federated States feel that they could not dispense with one another's support in fighting for common objects, and they express this in a permanent political form. Switzerland, which is a genuine example of a Confederation, was formed in this way. The joint obligation is not only that of uniting against a foreign enemy, but also of settling internal dissensions by dint of good will or of legislation. This arrangement may give rise to a number of other permanent institutions, but the sovereignty of the individual States is always preserved. Hence the *liberum veto* of the members of the Federation follows naturally. Since a sovereign cannot obey, the individual States must have a right of protest against the final resolutions of the majority of the States. So it was in the Netherlands, in old Switzerland, and also in the German Confederation. In the case of every alteration in the Act of Confederation (*Bundesacte*), in the case of all the so-called "organic" decrees (to which every one attached a different meaning), unanimity was essential; and the practical result was that, in important matters,

the Federal Council was incapable of coming to a conclusion. It was a permanent Board of Incompetence.

"The self-contradictoriness of this system is obvious, and lies in the fact that unequals are considered as equals. Save for certain honorific privileges, all the partners in the Confederacy are made equal. Hence the weak States have an unjust advantage over the strong. It was a citizen of the State of Holland—Spinoza—who declared that to insist on equality among unequals is to insist on an absurdity. In the Diet of the German Confederation, Austria, Prussia, Bavaria, Würtemburg, and Hanover might all be out-voted by the small States. That was an utter absurdity, and could not possibly be continued in practice. The large States were compelled to bring to bear privately the weapon of their power, in order to secure for themselves a party.

"Thus in Confederations a hegemony may be formed, either in fact or in law, for the sake of introducing a paramount factor into this chaos of conflicting sovereign wills. That was what occurred in the Republic of the Netherlands. The conditions of the Confederation were in this case extremely lax in themselves; for, as we know, the strict principle of the *liberum veto* required the unanimity not only of the States-General of the Seven Provinces, but also the Provincial States, from which they were sent. In theory that was about as abnormal a state of affairs as could well be imagined; but, in practice, it was equalised by two powerful centralising forces in the Federation. Of the Seven Provinces, Holland by herself was so strong as to comprise two-thirds of the entire population, and about seven-eighths of the national wealth. The material centre of gravity of the whole Union, therefore, lay in Holland, in towns like Amsterdam, Haarlem, The Hague, and Leyden; and the Republic of the Netherlands was commonly referred to by the name of this one Province, which seemed identical with the whole. Further, the maritime interests, which were especially considered in Holland and Zealand, became much more important than the internal affairs of the little

inland provinces. It was truly said: 'Hoch von Muth, klein von Gut, ein Schwert in der Hand, das ist das Wappen von Gelderland.' [1] But how small was the actual significance of this little Guelderland by the side of the world-power of Holland. By this time, too, the Republic had been formally so organised that the will of Holland should invariably prevail. Both the States-General of the Union and the Provincial States of Holland sat in council together at the Hague, in the same building, the Binnenhof. If the Union had to deal with an important question, first there was a meeting of the Provincial States to deliberate beforehand on the proposals to be put before the Union. Their resolution was then, as a rule, adopted by the other States.

"Thus, through the actual predominance of Holland, a certain unifying force was introduced despite the *liberum veto*. The living bond between the chief Province and the Union was the remarkable office of the Grand Pensionary, which has furnished our constitution with a model for the office of Imperial Chancellor. It must be remembered here that Bismarck was in his youth a friend of Motley, the talented American historian. Motley wrote a book on the United Netherlands, and from this Bismarck acquired a theoretical knowledge of Federalism. The combination by which the chief official of the dominant State was at the same time the most powerful official of the Union was, in the case of the Netherlands, very ingeniously contrived. It avoided the necessity of openly displaying the hegemony of the Republic produced by this means. The Pensionary sat bareheaded at the lower end of the table, at which the high and powerful lords of the States-General took counsel, as sovereigns, with covered heads. He had not even a vote. But he was minister for foreign affairs; he conducted the business of the Union; it was with him that every foreign country had to negotiate. If the proposition be true that

[1] High in courage, small in wealth, a sword in hand. That is the coat-of-arms of Guelderland.

whoever negotiates and is responsible also rules, then he was the man who actually ruled.

"To this hegemony of the one province was added a second centripetal element, the House of Orange, with its hereditary military office, which constituted a force at once democratic and monarchical; and which, as the representative of a vigorous continental policy, though it often came into conflict with the Republic of Holland, at the same time had for its aim the establishment of a solid central government. Through the eighty years of the struggle for liberation the House of Orange provided the commander-in-chief of the Army; and, even afterwards, in the midst of continuous wars, its representatives held together both the Union and their Army.

"So, by dint of these two institutions, which are nowhere laid down in writing, the centrifugal force of the Seven Provinces was restricted. But anarchical weapons were employed without compunction against the *liberum veto* of the Provincial States. Either threats were used; or else a so-called 'deputation of notables,' of stadtholders and influential members of the States-General, was sent to the Provinces of the minority. It journeyed to the people of Friesland or Guelderland, in order to melt their hard hearts by a personal appeal, a feat which was seldom accomplished without the aid of a full purse." [1]

"If we consider the distinction between a Federal State (*Bundesstaat*) and a Confederation (*Staatenbund*) of States, we see clearly that it does not consist, as many theorists have affirmed, in the extent of the powers of the central administration. The weak central administration of the German Confederation none the less possessed in many respects greater power than the modern German Empire. It intervened in local matters, which our Empire allows to be administered locally by its members. The difference between the two forms of federalism cannot, then, be found here; nor in the fact that, in a Confederation, the decrees

[1] *Politik*, ii. pp. 310-3.

of the central administration are executed by the individual States, while, in a Federal State, the Central Administration itself executes its own decrees, and forms its own administrative departments.

"This theory, which, as we shall see, is not in accordance with facts, originated in America. In the dark days of the war against England, when the Union of the thirteen sovereign States of the starry banner had fallen so low that it could not even pay off its war-debt to France and Holland, and had suffered a universal loss of prestige, then the chief patriots took their courage in their hands; they assembled the Congress of Philadelphia,[1] and behind closed doors they accomplished what had become a necessity—the overthrow of the sovereignty of the several States. For that was really the important thing; and, though the American statesmen did not make this clear in theory, in practice they handled the situation with genius. It is practical genius that has always been the strength of the Anglo-Saxon people. Alexander Hamilton, the great American statesman of that time, founded a periodical, the *Federalist*, with the aim of winning in the first place the approval of the sovereign people of New York. This stroke of diplomacy suffices to show that matters were not conducted quite disingenuously; but, in addition to this, the uncertainty of the whole age with regard to the theoretical nature of sovereignty is revealed in the credit which was given to the theory of *division des pouvoirs*. This produced the theory of the Federal State (*Bundesstaatstheorie*), according to which the sovereign members of the Confederation should remain sovereign, but should cede a portion of their sovereignty to the Union, so that certain branches of the administration—for instance, the Army, the Customs, the Post Office, and the Coinage—should be excluded from the functions of the individual States. The Union should have the sole control

[1] In 1787 it met "for the sole and express purpose of revising the Articles of Confederation," and to "render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union."

of certain branches of the activities of the central State, the constituent States should control other branches; and each, therefore, should be equally sovereign in its own way.

"That was the new doctrine. In practice it effected an infinite amount of good; because, by the dissimulation of the true state of the case, the population of New York was won over. The Swiss, too, believed in it; and, in Germany, all the professors of constitutional law were filled with the desire to make use of these precepts of the Federalists, in order to avoid the necessity of saying to the German princes, in so many words: 'It is our firm intention to abolish your sovereignty, and to utterly destroy the work of our arch-enemy, Napoleon.' No one dared to say this openly; and so there was an attempt to utilise the American theory of the division of powers as a way out of the difficulty. But, examined more closely, the very idea of a division of sovereignty is seen to be utterly untenable, because it is evidently absurd to speak of an upper supreme and a lower supreme authority. And, if we examine impartially the text and the spirit of the new Federal Constitution of America, as it emerged from the conferences, and as it has continued down to the present day, we see that there can be no doubt who is actually the sovereign of the Union. It is the totality of the population of the United States. It is the nation that wields the supreme power. Its members have simply to obey. This becomes much more evident if we consider further that the careful division of the activities of the State, which was laid down in theory, is actually neither possible nor necessary in a Federal State. It rests entirely with the American Congress to decide whether it will execute its decrees through its own officials, or will order the constituent States to execute them through their officials. If Switzerland desires to construct a road in the Alps, she manages the affair according to the special circumstances. Either its construction is undertaken by the Confederation, or else one canton is ordered to construct the road, in accordance with the plans submitted.

" Here again, then, we see that it is a case not of division but of centralisation of the supreme power. Of course, the notion of sovereignty is elastic, as are all political notions which come within the domain of the will, but we have seen that it must none the less have a solid kernel. There must be an ultimate criterion, by which the nature of the sovereignty can be recognised. The solid and absolutely indispensable kernel of all sovereignty, without which no State can properly be called a State, is the right to control the army, and the power of itself deciding the limits of its own prerogatives. A State which has no right to control the army is, in fact, a State no longer. It is of the essence of the State that it should be able to enforce its will by physical force. If it cannot claim the right to arm, if it allows itself to be protected by the might of arms of a higher power, then it is a subject of the higher power. The first decisive step taken by America at the Congress of Philadelphia was the decision that henceforth a common army under the control of the Union should be established ; and this step was imitated in Switzerland.

" It is clear, in view of the fact that the individual so-called States of the Union are no longer States at all, that this name is only a convenience. Lincoln expressed the truth well and briefly in the last war,[1] when he said : ' The States have their status in the Union, and they have no other status.' So it is in reality ; they are subjects, and, when the South rose up in opposition to the common will, its States were rebels. They were named ' rebel States,' properly a contradiction in terms ; for only subjects, not States, can properly rebel. But, after all, names prove very little in politics. Considerations of piety and prudence often lead to the preservation of titles which have lost their true significance. This is especially noticeable in Federations, where the vanity of former sovereigns has to be humoured. When the American countries had separated themselves from the English mother-country, they could no longer designate

[1] In the American Civil War, 1861–5.

themselves 'colonies.' It became a matter of earnest deliberation what name they should adopt in the future. Finally, since the individual districts, in the anarchy of the Civil War, had snatched the supremacy to themselves, they were given the name of 'States.' This designation was retained unthinkingly, even when, under the Confederation, the former States had ceased to be States any longer. On the other hand, consider the Seven Provinces of the United Netherlands. They had been provinces of the Greater Netherlands, which had rendered obedience to the King of Spain as their common sovereign. When they broke away, and each Province acquired a sovereignty for itself, they still preserved the name 'Provinces'; but it would be folly to deduce from this name that they were not sovereign." [1]

Of the three alternative forms—*Staatenbund*, *Bundesstaat*, *Einheitstaat*—that which Treitschke preferred was that which entailed the completest breach with the traditions of the past. To understand his attitude—a strange one, as it may seem, for a historian to take—we must realise the inefficiency of the German Confederation and the failure of the attempts which had been made, between 1815 and 1865, to convert this permanent alliance of States into a single State of the federal type.

Never had a political system been more plainly foredoomed to failure, from the moment of its birth, than the Confederation. It came into being (1815) as a compromise between contending parties, at a time when any compromise seemed better than a prolongation of the anarchy which had for so long been endemic on German soil. It had not existed for a generation before every German patriot was convinced that a revolution would be a cheap price to pay for its destruction or complete reconstruction. It was a compromise founded upon two jealousies: upon the jealousy between Austria and Prussia, which dated back to the Silesian wars of Frederic the Great; and upon the jealousy

[1] *Politik*, ii. pp. 319-323.

with which the smaller German States regarded these two powerful and ambitious neighbours. Far from extinguishing these jealousies, the Confederation inflamed them; the Diet of the Confederation only formed a new battle-ground for the three contending parties which held the future of Germany in their hands. The Confederation was a compromise which would hardly have been accepted at all but for the pressure of the non-German Powers; when these Powers ceased to be solicitous for its maintenance, it survived chiefly as an instrument by which other and more effective schemes of national organisation could be brought to nothing.

It would be an endless business to enumerate all the absurdities of this constitution. The boundaries of the Confederations intersected those of three half German Powers. The Duchy of Holstein belonged to the Confederation; but that of Schleswig, though indissolubly united to Holstein, was not included. Neither was Denmark, although the sovereignty of Holstein (and of Schleswig) was vested in the King of Denmark. Similarly the Confederation included the German lands of Prussia and Austria, but excluded the non-German dominions of these Powers. The Confederation was thus an absolute anomaly in the eyes of international law, and it was practically impotent in the councils of European diplomacy. Prussia and Austria ranked among the great Powers; the Confederation had no ambassadors and no foreign policy. Most absurd of all, it was, or rather professed to be, a State, while it lacked an executive, and possessed only a phantom legislature, whose powers were undefined and whose activity could be suspended by the *liberum veto* of any single German ruler.

The fact was that the Congress of Vienna had drawn the rough outline of a German constitution, and the outline had never been filled in. The Federal Act of June 18, 1815, defined the Confederation as a permanent alliance for the maintenance of the national security against foes without and disturbers of the public peace at home. The allies were to defend one another in the possession of all the lands

included in the Union—to defend the hereditary dominions of the Hapsburgs, but not Hungary; to defend the Electorate of Brandenburg, but not the Prussian or the Polish provinces of the Hohenzollern. The only organ of government created by the Federal Act was the Diet, a congress of ambassadors who could not vote on any subject without instructions from their governments. The Diet had power to make "fundamental laws" and "organic institutions"; but the *liberum veto* was a sufficient guarantee that these laws and institutions would be few and insignificant; and they could only be enforced, if they were enforced at all, by the governments of the constituent States. There was an attempt to raise a Federal Army composed of quotas from the States; but sixteen years elapsed before the quotas were defined, and the army never assembled. There was another attempt to enact that representative institutions of a moderate and antiquated sort (Assemblies of Provincial Estates) should be introduced in every State. But it was held that the Diet had no power to enforce this law; it remained "a prophecy rather than a command."

For one short period in its history the Confederation pursued a consistent policy. Between 1819 and 1833 the Diet was made by Metternich the passive instrument of Austria, and of the dynasties which looked to Austria for support, in suppressing German Liberalism. The Carlsbad Decrees of 1819 and the Vienna Resolutions of 1820 were drawn up for this end by the reactionary sovereigns and were meekly endorsed by the Diet. The Confederation set itself to destroy the freedom of the Press, to gag the Universities, to break up political societies, to extirpate the monstrous heresy of "responsible government," and to support all princes of the Confederation against their rebellious subjects. The system of Metternich was rendered more feasible by the existence of the Confederation; it had become an alliance of the governments against the governed. Most absurd of all an alliance which ostensibly existed to defend the indefeasible rights of hereditary sovereigns,

now undertook to coerce any of the weaker sovereigns who yielded spontaneously to the liberal aspirations of their subjects.

This vicious polity was maintained chiefly by an alliance between Austria and Prussia. The two Powers whose jealousy had made the union of Germany, in any real sense, impossible now united to prevent the smaller States from bringing their constitutions into harmony with the prevailing idea of liberty. They had kept Germany divided ; and they wished to keep the German people enslaved.

What was the remedy for this intolerable situation ? As early as 1820 the smaller States had been urged by Liberal thinkers to form a new Confederation from which both Austria and Prussia should be excluded. But this was clearly a Utopian scheme, a league of the mice to bell the cat. Material force was on the side of the absolutist governments ; they had the support of Russia ; and they had also at their disposal the best statesmanship which the German nation could produce. The small States were weak, and they were politically uneducated. And, at the best, if they held together what was the ideal which they had in view ? It was that the majority of the German people should continue to live in small States, which would be governed liberally or illiberally at the pleasure of hereditary princes. On the moral and political weaknesses of the system of small States Treitschke is particularly outspoken. He may have been partially blinded by his prejudice in favour of Prussia. But his testimony is the more striking because he wrote his indictment at Freiburg, in the Grand Duchy of Baden, which was one of the most liberal States of Germany. He had at all events seen the small State at its best. The first section of *Bundesstaat und Einheitsstaat* is entitled " The Fairy-tale World of Particularism." Here he takes up one by one the usual arguments in favour of Particularism. The following passages are typical of his dialectic :—

" If the question of German unity were one of those

disputes that are won on the ground of argument but lost by reputation, the case of German Particularism, as it stands to-day, would indeed be desperate. Nothing is so unreasonable that some argument cannot be found in support of it. Thus, the calculations of those who desire to perpetuate the weakness of Germany and that German contentment which can transform the unendurable into something endurable have, with an amazing sentimentality and zeal, created a world of myths calculated to prove that Germany was destined to disintegration from the outset. But the consoling arguments of Particularism will cease to console ; its black prognostications will cease to affright ; and if, with shameless brow, it still maintains the historic necessity of the German *Kleinstaaterei*, we will refuse to allow the most precious thing in life, the human will, to be argued out of history. That which a later generation names a historic necessity was always only a possibility, until, by the will and energy of the nations, it was made a reality ; it was nothing more than a combination of political circumstances, in which the destinies of the protagonists might aid or obstruct, but never alone decide. With almost the same arguments that to-day are brought forward to prove the necessity for the disintegration of Germany, it will one day be explained to a happier generation that this land was from the beginning destined to unity. If we make a rapid survey of the fairy-tale world of Particularism, it becomes clear that any moderately intelligent person could sweep it away with a few words, and it is indispensable that this undergrowth should be swept away if we are to clear the ground for an understanding.

" It is vain to try to defend the reality of the German Confederation behind the shield of legitimacy. There are truly no legitimate considerations which can hinder the German nation from setting aside the Federal Diet, since the latter has been unlawfully revived.[1] The advocates of a stupid conservatism would have done well to have

[1] By Austria in 1850, in opposition to the new Prussian Federal Union.

looked for a less discredited catchword. '*Les rois s'en vont*,' is a fool's saying, if it means that our continent, with its monarchical traditions, is to emulate republican methods; but it is profoundly true if it means that the childish belief in the divine right of the ruling families has vanished from the world for ever. In every country constitutional law is struggling towards the dawn of a new and more human epoch. Even in a monarchy, the truth will be recognised of the great and fundamental principle of public rights, that every right must entail a corresponding obligation; that, in matters of the State, no right ought to exist for the sake of an individual, but only for the sake of the State. Does any one suppose that these ideas, which the modern world can never now abandon, would come to a halt at the German frontier? The only question is whether the German nation will have the strength to embody these ideas in her constitution, or whether, as at the beginning of our century, the office of judge will be assigned to a foreigner.

"It has ceased to alarm us when the Particularists shout at the advocates of unity: 'You want a revolution!' No one wants a revolution. Our nation has had a sufficiently painful experience of what a revolution means. But the persistence of a state of things which has no right to persist constitutes an evil which is growing before our eyes; so that finally nothing less than a bold revolutionary decision will suffice to secure law and order in this constitutionless country. All high and noble hearts extol the Italians, and their conspiracy in the broad light of day which laid the foundations of a united Italy; and they extol the statesmen of Prussia for that 'Revolution in the good sense,' directed straight towards the great goal of the ennoblement of humanity, by which the human worth of our Fourth Estate was recognised. Not all the unctuous talk of juridical theologians will prevent our nation from wishing to make a similar decision for the sake of securing her unity, as soon as she possesses the necessary power.

And even the ghost of Caesarism, with which some delight to threaten her, will excite no alarm. The very character of our nation renders government by the sword impossible as a lasting form of rule. As a transition stage, it is a painful but not an unendurable affliction, if it establishes the unity of our State.

"More rarely (for Particularism has gradually borrowed from its opponents some slight sense of shame)—somewhat more rarely, we are warned that a German State would threaten the peace and the balance of power in Europe. So, out of a tender regard for foreign nations, this nation is to disregard a sacred duty, to renounce its political existence. Johannes Müller [1] and Heeren [2] were able with impunity to offer the German nation such soothing arguments as these. To-day even the most modest German citizen begins to see the beggarliness of such sentiments. Is it true, as the pacificists assert, that the German Confederation has preserved the peace of Europe? Much more was it the peace of Europe that preserved the Confederation. There can be no doubt, that, at the outbreak of the first general war, its constitution would have collapsed hopelessly. Our continent will not enjoy any permanent tranquillity, until Central Europe has become sufficiently strong to cry halt to the greedy ambitions of its neighbours. When once she is restored to herself, Germany will never pursue a policy of conquest. It is true that neighbouring nations, misled by a short-sighted calculation incapable of seeing beyond the present, refuse to recognise this. But that cannot hinder a great nation from availing herself of the first favourable opportunity in order to fulfil her national duty. When the transformation is completed, the world will do, as it always does when some necessary thing has been accomplished; it will admit the great and beneficial truth that the interests of the nations are one.

[1] Born 1752, died 1809. A Swiss historian, and a strong individualist.
[2] Born 1760, died 1842. A professor at Göttingen; wrote an Ancient History, and also, in 1800, *The Political System of Europe and its Colonies*.

"Another pacificatory argument has proved equally ineffectual; an argument especially affected by men of high culture in the days of the old romantic school: namely, that the affairs of Germany must be left to develop spontaneously and organically. We have come to realise that, whenever this unhappy word 'organic' finds its way into politics, all thought disappears. But the cradle song of indolence, which has rocked the German world in comfortable slumber only too long, can no longer delude us. Look back a hundred years at the Confederations of the Netherlands and Switzerland, and then look at our own Holy Roman Empire. Those indeed were States that developed organically, until at last a foreign power trampled disdainfully on the decaying fragments that remained of them. We may be absolutely certain that a reforming and, if necessary, an energetically revolutionary will is essential to every State; otherwise the very reason of the State will gradually become void of significance.

"But the Particularist remarks soothingly: 'All the prosperity of the State depends ultimately on the moral character of its citizens. It must be possible to keep the sons of a nation united, even if the State itself is not united. Besides, power is far too unequally distributed among the members of the German Confederation, so that in every decisive question the superior influence of the larger Federal States will always control the issue.' We know that unity very well. It did not hinder the Rhine Confederation; it has even armed German against German, under the protection of the Confederation."[1]

"We are coming now to the most precious and sacred notion of the Particularists; they guard this notion like a jewel and flash its rays in all directions. It is as follows: 'We live in the promised land of Decentralisation; and, even if such a lot be fraught with some ills, it is a thousand times better than if we were to descend to the tedious monotony of soul-destroying receptiveness which marks the

[1] *Historische und politische Aufsätze*, ii. pp. 81-4.

centralised States.' This pronouncement is put forward as something quite indisputable, and it has already engendered a wealth of phrases. But I maintain that no more blatant untruth has ever been uttered than this statement that Germany is the land of decentralisation. The truth is rather that our States are suffering from most of the evils attendant on centralisation, without a single one of its benefits. We cannot, for instance, as France can, make a bold decision to concentrate rapidly the best forces of the Fatherland on one particular point that has been threatened. And yet our government is not national, as the Swiss government is. The local government of our communes still stands aloof and disconnected from the monarchical Civil Service. The government of the nation is directed from thirty different and arbitrarily selected small centres ; and it is conducted with a paternal and interfering officiousness which, for instance, in many of the small States forbids any innkeeper on the frontier to hold a shooting match, before he has received the blessing of the government on the proceeding. So much for the vaunted decentralisation of Germany. The aim of national liberalism is to do away with these thirty small centres, and to focus the administration of our country and the work of legislation at one point, at the same time introducing the principle of local government into the districts and provinces. In this way Germany, like England, would enjoy simultaneously the advantages of centralisation and of decentralisation, whereas now we are experiencing little but the dark side of both. The natural defects of great States may be mitigated by a carefully planned administration ; the defects of *Kleinstaaterei* are irremediable.

" Even more foolish than the fear of an excessive centralisation of the German State is the fear that a united Germany would do away with that wonderfully uniform distribution of the national culture, for which the world justly envies us. But does any one seriously imagine that the results of a thousand years of progressive culture could

be wiped out by one political change? The centralisation of the French State did certainly bring about the intellectual impoverishment of the provinces; but this was not the work of the first Consul, nor yet of Richelieu; for more than five hundred years, since the days of Philip the Fair, it has been helped on by all the successive rulers of France with a remarkable consistency. But what six hundred years of labour on the part of a powerful government have brought about in a Romance nation, to the satisfaction of the huge majority of the French, could this conceivably happen to a Germanic nation which, like ourselves, has lived through those six hundred years in a state of political disintegration—to us Germans, with our unconquerable enthusiasm for independence and for the culture of the individual? No one has been able to say of Germany that her culture has suffered through the loss of her political independence."[1]

"They cry out to us: Have we not to thank the disintegration of Germany for the beautiful diversity of our political life? As Heeren said: 'If the German sees in his Fatherland republics side by side with monarchies, let him rejoice; it will preserve him from the narrowness of political prejudice.' In point of fact, that narrowness which Heeren condemns is only the necessary and wholesome preoccupation which belongs to every energetic man. It is an absolute impossibility at the same time to will and not to will anything, although, as a matter of fact, the Germans have greatly distinguished themselves by that breadth of outlook, which is a barrier in the way of resolute action. A man who is fighting for a parliamentary monarchy cannot at the same time fight for a republic and for absolutism. Is this then to be the destiny of our great Fatherland?—to serve as a valuable collection of instructive illustrations and examples? When such opinions were first expressed half a century ago, they were merely an evidence of the innocent ingenuousness of the

[1] *Hist. und pol. Aufsätze*, ii. pp. 87-8.

time; but any one who gives vent to them to-day is guilty of a frivolous disrespect towards his country. It is certain that, out of that wealth of political and social contrasts which Germany comprises, a very rich and varied political life may some day be evolved, if only these contrasts are first consolidated into one empire, and if, as formerly, in the German Parliament,[1] they can be finally reconciled and can meet and supplement one another upon a common platform. At the present day, since these contrasts stand side by side, without any political connection, they engender nothing but a crowd of narrow local prejudices: in the interior, that feeble inland policy which gives no thought to the great historic might of the sea; in the seaports, that vagrant cosmopolitanism which refuses to take any interest in the development of the national industries. A great opportunity has once more arisen for the union of the human race in one brotherhood. The dream of Columbus, to unite the primitive civilisation of Further Asia with European civilisation, is being realised before our eyes. It has been said proudly that the South Sea is beginning to awaken. And, as at the beginning of a new age, there are other mightier, united nations, who are opening new paths for the world's commerce; yet we Germans are only permitted to follow humbly from a distance the footsteps of the foreigner. More than this, millions of our countrymen, even of the highly-educated classes, listen in stupid amazement, if any one deplores the shame and misfortune of a situation which, in all the most important questions of modern political science, condemns the Germans to the rôle of menials or victims. And yet of such a nation, a nation the great majority of whom are so lamentably steeped in inland notions, of such a nation Particularism presumes to boast that it is characterised by the breadth of its political outlook." [2]

[1] In the Frankfort Parliament, 1848–49. See pp. 61 *et seqq.*

[2] *Hist. und pol. Aufsätze*, ii. pp. 92-3.

He comes to the conclusion that nothing has maintained the small States, but the vested interests of the dynasties and their hangers-on, and the indolence and irresolution of the German nation.[1]

Next he proceeds to analyse the moral diseases which had been engendered by the system. Since the Confederation is a sham, and its laws are only obeyed by those who find it convenient to obey them, Germany is plunged into a state of anarchy which had never been surpassed in the worst days of the medieval Empire. Practical statesmanship finds no field for its energies except within the narrow bounds of the single State ; the result is a general narrowness of mind among the political classes. Those who have any patriotism left console themselves with catchwords and sentimental ideals of a Greater Germany united by nothing more concrete than national sympathies and national traditions :—

" We boast that in questions of knowledge and belief, mere words are powerless to deceive the simple honesty of the German conscience. Yet in the hazy politics of the Confederation, in a matter that actually concerns our country, the most trivial catchword is able to gain an ascendency. The one word Pangerman (*Grossdeutsch*), invented by a clever demagogue and exploited with systematic zeal by all the devotees of the existing disorder, has attracted thousands into the Austrian camp ; it sounds so terribly unpatriotic to be a Little German (*Kleindeutscher*) ! Only in the stern school of State affairs can a nation be cured of this childish susceptibility to political phrases and abstractions. Hence it is that in the confederate States, thanks to the educative influences of our Chambers, we do find clearly differentiated parties, which know what they want. But, since the nation is not allowed to participate in the affairs of the Confederation, German politics are still nourished on that empty so-called

[1] *Hist. und pol. Aufsätze*, ii. p. 95.

imperial patriotism, with its talk of German unity and German loyalty, which has already been used at the Regensburg Reichstag to cloak the lack of any clearly-conceived ideas and of any earnest spirit of self-sacrifice; and which has filled energetic patriots, a great Elector, a Frederick II., with bitter loathing. This vocabulary of imperial patriotism has devolved upon us like some dubious inheritance, and has since been supplemented by another generation of new-fashioned catchwords.

"The fact that to-day we do feel ourselves with pride to be one nation, we owe above all to the great age of our literature. In most other countries national pride has sprung from a full consciousness of the greatness of the State; in this new Germany of ours, out of the consciousness that we are members of one nation, there has sprung up the desire for an energetic consolidation of the power of the German State. Yet, though we welcome this development from within outwards as the surest sign of the inborn nobility of the German nature, we are still suffering from the evil consequences of such a very tortuous progress. It was necessary, indeed, that Klopstock and the poets of the War of Independence should extol the glory of the German name in thrilling dithyrambs. It needed a great aesthetic stimulus to stir the hearts of the obedient subjects of the German minor princes, until they should embrace their whole nation in a noble-hearted love. But when to-day we still hear the vague catchwords of that old time introduced into political debates, when it is imagined that a profoundly important question of power can be settled by the verse *soweit die deutsche Zunge klingt*,[1] or by sentimental claptrap about our good German brothers in Austria, then we realise with a deep sense of shame, the power of phrases in German politics." [2]

But it is impossible to expect political sense in a nation

[1] *i.e.*, "As far as German speech is heard."
[2] *Hist. und pol. Aufsätze*, ii. pp. 100-101.

which is excluded from any effective participation in German politics. To this exclusion must be attributed that abnormal and suicidal patience which tolerates intolerable evils. Patience comes naturally to the German temperament ; it has some affinity with admirable virtues of the German character. But until patience of this kind has been reformed away, there is no hope of political reformation. One result of this patience is that political liberty is nowhere secure :—

" It is not merely in these ungracious features of the German national character that the results of our state of disintegration are reflected ; political freedom is not assured in any constituent State, so long as the German Confederation persists in its present condition. Even their opponents do not think any worse of the Ultramontanes and the Junkers for their hatred of any notion of German reform. But there is one of the German parties which is absolutely absurd and unjustified, and that is the party of the Particularist Liberals. And in fact, what has been achieved by the Chambers of the constituent States, the Chambers which that party extols as the corner-stone of German liberty ? They have checked many evils ; they have made some improvements ; they have been a school of self-control for the German people ; but they have fostered a particularist self-sufficiency, and, even at the present day, in no German State does a constitutional government possess any other security than the goodwill of the prince. Honour those whose purposes are still so noble ; but only let a ruling prince assert himself in any German State with the brutal energy of an Ernest Augustus,[1] let him disregard the clamour of the Press and all kinds of personal discomfort, which an unpopular prince cannot escape, and, with the support of his army and the German Confederation, he will as certainly shatter the constitution of his state, as happened in the case of that young King of Hanover.

[1] King of Hanover, 1837–51 ; son of George III. and Duke of Cumberland.

Therein lies the security of German liberty! It is an absolute impossibility to compel a dynasty to an everlasting parliamentarism, if it finds a support already prepared for it in an oligarchy of princes. Since the histories of most of the German States exhibit a long series of 'concessions' (*Oktroyirungen*), this melancholy truth is hardly likely now to meet with any vigorous contradiction. And at the present day is it possible for any one to follow with any feeling of satisfaction the proceedings in the Chambers of our smaller States? That dissipation of noble energies in the performance of tasks which could only be accomplished satisfactorily by a national legislature, or else in the drafting of legislative proposals, all originating solely from the petty ambition to possess institutions different from those of neighbouring States? Those military debates, in which the statement upon which everything depends, the statement 'Our State is powerless,' is on the tip of every tongue, and yet is never openly expressed? Those extremely personal conferences concerning the organisation of the Civil Service, in which any one could point with his finger to the individuals who are characterised under the head of 'superfluous offices'? Those debates on the budget in which again no one dares to express a decisive opinion, or to admit that 'the vast apparatus of a State-constitution is superfluous in a country which can scarcely claim to be a province'? That thankless attempt to remodel the two-Chamber system in States which do not possess a ruling aristocracy? And, in conclusion, what magician will secure once again for the Chambers of the small States that eager participation of the people which is the necessary foundation of constitutional life? How warmly and enthusiastically the people participated in the diets before the German Revolution; yet all that has completely vanished since we have seen the German Parliament. Baron von Blittersdorff[1] once described the

[1] A minister of the Grand Duchy of Baden; prominent in 1847–48 as an opponent of Liberalism.

animated debates in the Chambers of the small States as a storm in a teacup; and in the 'forties those words roused a general indignation. Now they express the general opinion." [1]

Under such conditions, he continues, the sense of citizenship is atrophied; the worst enemies of state-authority are invincible. The system of small States has left the Ultramontanes supreme in the South, the Junkers supreme in the North. Even the Hanseatic cities, which boast of their republican freedom, and which as municipalities within a German State would be the glory of the nation, show in their policy a deplorable pettiness. Against a system which breeds these evils the growing intelligence of the nation will certainly rebel, and that within a short time.

"The stark immobility of our public law becomes much more dangerous every year, since political ideas are now transformed with such unprecedented rapidity. Any one who looks upon the State not as a mechanical organisation, but as the living embodiment of the spirit of the nation, discerns the inevitable approach of a complete transformation of the existing order. Democratic notions are being propagated in an ever-widening circle. Only mark the tone adopted in the most popular of the middle-class newspapers, when speaking of crowned heads! The belief in the justice of universal suffrage is already cherished by hundreds of thousands. In addition, the immense development in means of locomotion brings German closer to German every day; and even the most stay-at-home citizen now makes light of the frontiers which are so quickly crossed. And into the very midst of this age of fermentation there streams the intoxicating theory of the right of nationality. Can any one deny that we Germans had no need of this new-fashioned theory? Our inalienable right to a national State is rooted in something deeper than abstractions or vague notions of

[1] *Hist. und pol. Aufsätze*, ii. pp. 104-6.

a common descent. It is founded in that political union, which has bound together our successive generations from time immemorial, and which only once, during the eight years of Napoleonic anarchy, was completely dissolved. None the less, a large number of the half-educated class have accepted this new theory as an inspired revelation, and have thus arrived by a different road at the same demands as have been made by thinking people long since. It often seems as if there dwelt in our country, side by side, two different generations, separated from one another by two centuries. In the one we find an ineradicable and deeply inculcated submissiveness, an indolent endurance, and a genuinely patriarchal gratitude for the least word of kindness from those above them; and by their side a young generation talking a new language with noisy assurance, as if the old world were long since done away with, and a democratic centralised German State had actually been realised among us. Behind these high words there lurks a great deception. Just as surely as the rivers flow to the sea will our quarter of the globe absorb the true essence of the democratic and national ideas of the present time into its system; for these ideas are — like the conceptions of ecclesiastical reform in the sixteenth century — the predominating and characteristic force of their age. The question is whether our nation will co-operate spontaneously in this great movement; whether, as happened three hundred years ago, it will rest satisfied with a half success; or whether it will simply supply the cement for the splendid edifices of foreign powers. The confident talk of our Radicals is a sign of political immaturity, but it is likewise a consequence of the mediatisation of our nation; for if the nation took any part in German politics, even the most short-sighted would realise how long the road really is, that to the hopeful seems so short." [1]

But something more was needed than intellectual

[1] *Hist. und pol. Aufsätze*, ii. pp. 107-8.

progress. The history of the years 1848–49 was enough to show that German unity could never be effected until one of the greater states, Prussia or Austria, should place its military resources at the service of the national party. The German Liberals had undertaken in 1848 to reform simultaneously the Confederation and its constituent States. They had supposed that this could be done by a strong appeal to the conscience of the German nation, by preaching the gospel of representative institutions. And up to a point their efforts had been crowned with success. The majority of the governments had been induced to permit the election of a representative German Parliament. This Parliament had met at Frankfort (October 1848) and had remained in being for six months. It included among its members the flower of German Liberalism. It secured the services of an Austrian Archduke as the head of the federal executive; and it proceeded to draw up a code of fundamental laws. Unfortunately these fundamental laws, excellent as they were in principle, awakened the profound mistrust of the greater German powers. One law provided that in every German State there should be "responsible" government, by ministers answerable to a representative assembly. Another forbade the fusion of any German lands with lands which lay outside the boundaries of the Confederation; Hungary might not be united with Austria under one constitution; nor might Prussia be united with the more westerly possessions of the Hohenzollerns. Austria, Prussia, Bavaria, and Hanover refused to recognise the fundamental laws; and Prussia helped the King of Saxony to suppress a revolution raised by the constitutional party in that kingdom. The Frankfort Parliament, after long wranglings, decided that they must offer the imperial crown to Prussia; when Frederick William IV. evaded giving a definite answer, the new Federal Constitution fell to the ground like a pack of cards. The local revolutions which had been expected to reform the governments of the Absolutist States, and to propagate the cult of national unity, proved everywhere a

dismal failure. The Frankfort Parliament melted away in 1849; a Rump, composed of about 100 stalwarts, removed to Stuttgart, but was suppressed by the government of Würtemberg.

Many reasons might be given for this fiasco. The proceedings of 1848 often served Treitschke as a text for attacks upon German doctrinaires. The Frankfort Parliament had made the mistake of transplanting English constitutionalism to German soil, not perceiving that the English party system was the product of local and peculiar circumstances. From the first the representatives at Frankfort had been divided into a large number of unstable groups and cliques. Further, they had underrated the strength of monarchical feeling in the German States. In Prussia, for instance, the Hohenzollerns were the one great national institution; and the sort of constitutionalism which the Liberals desired was avowedly intended to make the hereditary sovereign a cipher, a marionette whose wires would be pulled by a party Cabinet. Not only had Frederick William IV. revolted against the Liberal schemes for reorganising his dominions; he had refused the Imperial Crown on the ground that he was asked to become the servant of a written constitution and a popular assembly. Despite his many blunders, he represented on this subject the national sentiment; the Liberals had outraged the traditions of the strongest States in Germany. But above all they had not realised the importance of material force. They should have begun by securing the help of Prussia; and then they should have framed a constitution which Prussia would accept, a constitution making her interests identical with those of the federation.

But such a constitution would not have been a federation at all. So, at least, Treitschke argued. Prussia could never consent to be merely a member of a *Bundesstaat*. Such a constitution is only possible, he said, when the contracting States are on a level of equality; only durable when they are all democracies, as in Switzerland or Holland or the

United States. It is not to be expected that sovereign princes will show themselves accommodating, will descend to compromises, in questions which affect their own prerogatives. But a Federation must be governed by committees and councils; and compromise is of the essence of such forms of government.[1] Besides, how can it be expected that a monarch will surrender the control of his army to a federal government, or submit in disputes with his own subjects to the arbitration of a federal court.[2]

"And what rights do the supporters of the Frankfort imperial constitution suppose that the German princes will resign of their own free will and without indemnification? Even in the most modest, the most loosely united form of federal State the central administration must possess exclusive authority in two matters: the conduct of foreign affairs, and—at any rate in time of war—the command of the federal army. It is often said in jest: 'The federal princes do not possess even now the right to declare war on their own initiative; and if we desire to abolish that military sovereignty which they possess in time of peace, what difference will it make? And how futile is the independent administration of foreign affairs by the small States; its only result is that a dozen loafers the more haunt the antechambers of the European courts.' I reply: this is merely a judgment of the subject class upon these questions; but it is a question here of the opinion of the governing class; and it must be apparent to any one that rulers esteem these two privileges very highly. It is a prevailing opinion in the majority of our courts that the army is the natural support of the throne. A very intimate and personal tie exists between the war-lord and his army; most of the German princes consider themselves officers, and always appear in military uniform; and even a Prince of Reuss of the younger line would feel that he had been expelled from the family of European sovereigns, if he no

[1] *Hist. und pol. Aufsätze*, ii. p. 134. [2] *Ibid.* ii. pp. 137-8.

longer maintained at any rate a *chargé d'affaires* at Vienna. Their diplomacy, and their armies bound to do service for the war-lord alone, make it possible for our princes—not by right, but in fact—to call in the aid of the foreigner in time of need. Surely rights which have such consequences as these ought not to be called insignificant. And if we remember that, only a few months ago, German patriots seriously projected a new Rhine Confederation for the salvation of the German nation, we cannot look upon it as impossible that, in a case of great distress, the German princes might form a similar plan for the salvation of their dynasties. Only a few years ago, Count von Borries [1] declared that Hanover would rather call in the aid of France than sacrifice a portion of her sovereignty for the benefit of a Prussian central government. Nay more : under the constitutional system which prevails in the German States, foreign and military questions are the only important affairs of State upon which the sovereign decides without the intervention of the Estates. Would you take by storm this last and most precious bulwark of absolutism ? Consider that, in matters of the Civil Service, a prince, where he is not actually restricted, is at any rate hampered and criticised by his Estates, and is above all under an obligation, indispensable in a Federal State, to submit every serious dispute with his Estates to the judgment of a Federal Supreme Court ! If, in addition to this, he is to be entirely deprived of the conduct of foreign affairs, and almost entirely of the control of the army, such a prince is certainly in a far from enviable position. He has not even the power, mistakenly ascribed by Hegel to the constitutional monarch, of adding the dot to the ' i.' It is no use to say that the establishment of the constitutional system was also a hard blow to the monarchs, and yet they consented to it. This is a futile comparison. In a Constitutional State it is an inviolable principle that nothing should be done contrary to the will

[1] A Hanoverian Minister, one of the leaders of the German Particularists in the years 1860–66.

of the crown. In a Federal State, on the other hand, foreign policy must very often be directed contrary to the will of, or at any rate without the consent of the federal princes. No! It is a heavy and unprecedented sacrifice which the Federal State party asks from the German princes. Is it likely that hereditary and irresponsible sovereigns, who cannot be removed from their position, should voluntarily give way to such a demand, and console themselves with the proud consciousness of having performed this act of renunciation for the honour of the German name? Is there anything in the history of the higher nobility of the German nation to justify us in expecting such a resolution?" [1]

In this passage Treitschke is not simply speculating as to the probable attitude of the lesser princes. He is explaining the failure of an experiment which the unlucky Frederick William IV. had made in the years 1849–50; the experiment of founding a new Federal Union from which Austria should be excluded and of which the King of Prussia should be the president. The scheme had been wrecked by the jealousy of the other German princes, and had ended with the humiliation of Prussia at the Conference of Olmütz (1850), when she was compelled to purchase peace with Austria by renouncing the new Federal Union and consenting that the old Confederation should be restored. This surrender was under the circumstances a wise one; Bismarck had approved of it, for Prussia in 1850 was no match for Austria in military strength. But the obvious moral was that German unity could only be effected by force of arms. There was no possibility of a peaceful evolution by which the Confederation would be transformed into a true Federal State. There must be a revolution; and this could only be brought about by Prussia. Austria desired to perpetuate the disunion of Germany; and the smaller States would never combine of their own accord to crush Austria. Only Prussia could free them; and it would be absurd if Prussia,

[1] *Hist. und pol. Aufsätze*, ii. pp. 137-8.

having borne the burden and heat of the contest, should be required to accept a position, in united Germany, of no greater consequence than was accorded to her protégés. She could not possibly accept such a situation.[1] On the other hand, if she openly made herself supreme, the situation would be equally precarious. The Federal State so formed would not be founded on the essential conditions which had made federal government a success in Switzerland and the United States :—

" We cannot but realise that there is very little ground for hoping that the German Federal State can be founded peacefully, by an opportune and generous decision of the dynasties. As far as the human mind can estimate, the ideal of our Federalists can only be realised, if the Prussian State, with the support of a strong popular movement or a strong foreign alliance, uses its power at the right moment. But a Federal State that has been founded on violence bears within itself, as Waitz admitted, the seed of its own decay ; a loyal federal spirit would scarcely be likely to thrive in it. And it is even more doubtful if the Prussian State or the German nation, when once their forces had been roused to action in a moment of supreme excitement, would be satisfied with a Federal State. Once already in stormy days [2] has the German people stayed its hand before the thrones : the reward for this moderation was the restoration of the Federal Diet. Once already has Prussia sacrificed the blood of her sons to strengthen anew the tottering thrones of the petty German princes ; [3] Prussia's reward for this friendly, federal help was the enmity of those whom she had saved. Such experiences are not easily forgotten. The pitiless law of ingratitude is predominant in history ; and, in virtue of it, every political power, when once it has performed its office and become superfluous, is infallibly swept aside without any consideration for its former services.

[1] *Hist. und pol. Aufsätze*, ii. p. 156.

[2] In 1848.

[3] By lending her support to Saxony and Baden in 1849, to suppress the Liberal movement.

In virtue of this law, colonies break away from the mother-country that has fostered them so carefully. It is in accordance with this law that our monarchical bureaucracy, which educated the German citizen for the State, and which gave the peasant his freedom, must retire step by step before the self-government of local communities and constitutional reforms. In accordance with this law the petty German principalities will be abolished, whether by the nation or by a foreign power, as soon as they are no longer in a position to contribute anything towards the civilisation of the nations. Yet even supposing that the Federal State of the Frankfort Parliament were, either peacefully or by force, introduced into Germany ; that it were purged of the crude contradictions and ultra-democratic sentiments embodied in the Frankfort project ; that it carried to the logical conclusion the principle of the Constitution of the United States, that the central administration should execute its own decrees without the interference of the constituent States ; even then it will always be open to question whether the Federal State contains within itself any guarantee of permanency. I feel bound to contest it. Robert von Mohl,[1] in his excellent history of Political Science, expresses his astonishment that the democracy of the United States should have tolerated for so long such a subtle and complex form of government as that of a Federal State. For my own part, all that I find astonishing is that it should ever have been possible to found such a constitution ; to persuade the whole collective human understanding of a democratic people to adopt such an elaborate form of government. But the work was accomplished in those great days when the American people still tolerated the leadership of a natural aristocracy, of a small number of noble and gifted statesmen. It does not seem to me in the least remarkable that, when once the Federal State had been founded in America, it should have

[1] A Heidelberg professor, prominent in the Frankfort Parliament, and one of the federal ministers appointed under the Constitution of 1848 to assist the Imperial Vicar.

retained its vigour. Its constitution is planned with rare sagacity to suit the peculiarities of democratic political life. In the United States the self-government of every community has been the predominant political principle since the foundation of the Colonies. If this democratic principle were to persist unimpaired, the Federal State was the only possible form of administration. For there is only one rational argument which can persuade a nation, in making for itself a constitution, to prefer the complexities of the Federal State to the simplicity of the centralised State. It is the argument that the Federal State secures at once a measure of unity sufficient for the conduct of the external affairs of the States as a whole, and a freedom of action in the individual States such as could not be guaranteed to the same extent in a centralised State. Montesquieu and Sismondi had this peculiarity of the Federal State in mind when they said—quite incorrectly—that it combined the advantages of a monarchy with those of a republic. It is evident, however, that this advantage of the Federal State is only realised in the case of a democratic Federal State." [1]

Treitschke proceeds to explain in more detail the reasons why, in his opinion, any federal system is unsuited to the German nation. A federation of monarchical States must, he thinks, be an infinitely more complex system than a federation of democracies—so complex that it will never work in practice. Further, a federal government is only tolerated when it interferes comparatively little with the life of the citizens ; but the German tendency is to demand almost unlimited State-interference, and this means a strong bureaucracy, which again means sooner or later the establishment of a highly centralised State. Again, the chief reason why the Germans desire union is that they may assert their rightful position among the great Powers. Germany needs a vigorous foreign policy and a formidable army. Experience seems to show that a federal State is

[1] *Hist. und pol. Aufsätze*, ii. pp. 142-4.

incapable of a vigorous foreign policy, and it is certain that the German dynasties will not willingly permit the formation of an army. Finally, he argues that the smaller States are no longer capable of doing the work which is expected of them. They are bound to be ruined by the financial burden of modern armaments; they cannot fulfil the tasks imposed by modern culture. Of these tasks he gives a remarkable instance:—

"Schleswig Holstein . . . cannot hold in obedience 100,000 subjects of alien speech and gently habituate them to the blessing of German manners; she cannot construct at immense cost a canal, of which the necessity for Germany is as obvious as its financial remunerativeness is doubtful. The Duchy can only do all this, if she borrows for the purpose the resources of Prussia; that is to say, if she confesses her incapacity to maintain an independent existence." [1]

Such States have not even the good sense to recognise their own futility. They will always be governed by second-rate statesmen; for the German dynasties are shy of employing eminent ability. The only way of dealing with them is to place them under the protectorate of such a great Power as Prussia.

A whole section of the essay is devoted to the defence of Prussia against her detractors. Prussia, he admits, has a less glorious past than Prussian patriotism will allow. The ideals of Prussia may be represented by the views of a Stein or a Humboldt; the actuality falls far below the ideal. "Yet this State with all her sins has performed every great achievement that has been accomplished in German politics since the Treaty of Westphalia; Prussia herself is the greatest political achievement of our nation." The sins of Prussia, in the period of the French Revolution and in the First Schleswig-Holstein War (1849–50), only show how indispensable Prussia is to Germany. If Prussia is badly ruled the whole German nation suffers.

[1] *Hist. und pol. Aufsätze*, ii. p. 153.

He then proceeds to show, from Prussian history, what is the nature of Prussia's appointed task in the world. She has risen to greatness by absorbing smaller States and communities into herself. No other German State has shown so much assimilative power; whatever communities she has absorbed she inspires with her own gruff national pride. What Prussia has once conquered becomes a part of herself. Further, Prussia has always gone her own way, and made her own institutions to suit her own needs. Her constitution is of native growth, and therefore possesses a marvellous vitality. The surrender of Frederick William IV. to the constitutional movement (1848) did not prove, so Treitschke audaciously argues, that the dynasty had become weak; rather it proved that Prussia had become a united nation, and was able even in the teeth of a strong monarchy to carry constitutional development to its natural conclusion. He admits that constitutional reform is still far from complete in Prussia; that the powers of the Prussian Parliament are insufficient, that the very existence of parliamentary institutions in Prussia is not yet secure, that both the great Prussian parties are open to severe criticism. But even so, he argues, there is more healthy political life in Prussia than in any other German State. From the political, as from the economic point of view, the history of Prussia in the nineteenth century has been one of steady growth.

As Prussia has begun, so in the nature of things she will continue to develop. She has thriven by conquest in the past; and her highest interests will compel her to make new conquests in the future; the annexation of Hanover and of Electoral Hesse is indispensable to her safety. Other great Powers find a vent for their ambitions in other continents, but it is only in Germany that Prussia can satisfy her legitimate ambition (*wohlberechtigte Ehrgeiss*). Her policy towards other German States has been governed not only by the perception of her own interest, but also by a sense of her duty to the German Fatherland. Frederic the Great may have been only half conscious of this duty; but the

sense of it has influenced Prussian policy ever since the Wars of Liberation.

It may be objected, says Treitschke, that the legitimate ambitions of Prussia would only lead to a partition of Germany between herself and Austria. He repudiates the idea that Prussian ambitions are so limited. Some Prussian ministers may have thought of making the Main the southern frontier of their State; but that was a departure from the old Prussian tradition. The nearer Prussia approaches to the Main, the less is she likely to allow the South German States the right of standing outside the German kingdom of the future. The more completely she rounds off her frontiers, the more she is compelled to bear in mind the higher duty of uniting Germany. In the nature of things she must play in Germany the part which the kingdom of Piedmont has played in Italy. If the German National Party does not wish to stray blindly among political Utopias it must think of Prussia as the nucleus of the German State of the future; it must become far more Prussian than it has been hitherto.

"We must wait for the favour of fortune, for 'the fulfilling of the time,' as Florestan Pepe[1] said to the Italian patriots. And yet all valiant spirits will prefer to take for their motto the arrogant retort with which the fiery Guglielmo Pepe answered his brother: 'Men make their own times.' Let the particularists continue to advertise their ingenious fables; let the most high and privileged Capuchins of both orders continue to take the name of God in vain and to extol the weakness of our country as a special favour of God's providence; let indolence, creeping in the dust, forget, in its getting and spending, the shame of our nation. Even so, whoever is worthy to be called a man, will not cease to toil for the unity of Germany. A heart aglow with a great passion, a brain cold and clear, a thoughtful consideration of the strength of the respective States, that is the fitting

[1] A Neapolitan constitutionalist who took part in the Liberal revolution of 1820; brother of Guglielmo Pepe, who was the leader of the movement. It was suppressed with the help of Austrian troops.

mood for a patriot in a nation which is struggling for existence. Germany still suffers from that faded sentimentality which an over-intellectual age has handed down to us. Men still cherish a certain lukewarm enthusiasm for the Fatherland; and the ardour which can find no place in jaded hearts takes refuge in their brains, where it broods over the fantastic whims of a purely sentimental theory of politics. A lengthy task of political education lies still before us. The nation must learn to oppose to the clearness and resolution of the particularists an equally resolute will, fighting for unity and for nothing else. Our hearts must become warmer, our brains cooler; the aims of our patriots must rise to the height of a personal passion; and the understanding of the whole nation must be armed with the calm realisation that it is only the power of the greatest of our German States which can force the minor courts to submit themselves to a national, central government. We shall never even secure a federal State (which is the very least we are justified in demanding), unless the nation has the courage to take a further bold step in case of need, and to secure that centralised State which Germany's greatest patriot, Carl vom Stein, dreamed of for his country at the dawn of the War of Independence." [1]

Such is the argument of this most interesting essay. In a sense it was falsified by the events of the next seven years. The smaller States did assent, under Bismarck's influence, to the formation of a *Bundesstaat*; the Federal State so formed proved to be a practicable constitution, although, as Treitschke had prophesied, it was difficult to make it work smoothly. And yet in a sense Treitschke was justified. The Federal Empire has been less efficient than a Unitary State for the purposes which German patriots hoped that a united Germany would serve. The Empire has been held together by the predominance of Prussia; and there is no doubt that, so long as the Empire prospers, the tendency is

[1] *Hist. und pol. Aufsätze*, ii. pp. 240-41.

for the power of Prussia to encroach upon the sphere which the original constitution reserved to the State governments.

The essay is long and discursive. It is difficult in a résumé to do justice to its peculiar merits. The conclusions at which Treitschke arrives are often dubious. But there can be no doubt of the skill with which he marshals his historical arguments. An excellent example is afforded by the lengthy but closely reasoned passage in which he holds up Italy as an example to Germany, and discusses the question whether it is possible for Prussia to imitate the example of Piedmont—a passage which is all the more impressive because it dwells chiefly upon the difficulties to be overcome before Prussia can succeed as Piedmont has succeeded :—

" The national movement in Italy was directed towards the goal of a centralised State more rapidly and more resolutely than is possible in Germany ; for Italy was even less hampered than ourselves by such legitimate dynasties as call for respectful consideration. It was in that great age of the Italian Renaissance, which the modern world has to thank for a considerable portion of its civilisation, that the name ' State ' first originated. *Lo stato* was originally used to designate merely the person of the ruler and his personal retinue. In fact, the interests of the rulers were the foremost consideration in these modern Italian States, which had been erected on the ruins of a medieval theocracy. Condottieri, bankers, daring sons of fortune, wiped out old States and created new States, aided by their sword, their money, their luck, and their immense ambition. The native despots finally succumbed to foreign conquerors ; the legitimate Republics of Genoa and Venice were abolished ; and the high-sounding word ' legitimacy ' could only be applied, with any semblance of justification, to Piedmont and to the States of the Church. Under such circumstances as these, when right was exclusively an attribute of might, Machiavellism became indispensable as a national philosophy. That *virtu*, that resolute conscious energy, which advances

towards its goal, without troubling to consider the honesty of the means, was recognised as the supreme political virtue.

"In this chaos of purely materialistic States federalist ambitions had for centuries ceased to have any power worth mentioning. It is true that the peninsula was always bound together by a certain community of political development. All Italy feasted on the great memory of the *avita grandezza* of Rome's world empire. Every part of the country had been affected by the feudal system and by the struggle between the Empire and the Papacy. In all alike had been witnessed the rise of powerful municipal communes. At the close of the Middle Ages the whole of Italy was under the influence of the mercenary troops, the bankers, and the despots of the cities, until there was established that system of equilibrium between the more important States which supplied a model for Europe to imitate. Finally, in modern history, the whole of Italy was suffering under an alien yoke, whether Spanish, French, or Austrian; and this community of political fortunes and misfortunes contributed at least as much to strengthening the desire for unity as did the community of language and civilisation. Yet the peninsula was never held together by the bond of federalism. The moment when a league of the towns might have developed out of the Lombard League [1] was allowed to pass; and all the various plans and endeavours of Arnold of Brescia [2] and Rienzi,[3] Dante and Machiavelli, the Visconti [4] and the Medici, Venice and a few great Popes, for securing the unity of their country, had only the effect of preventing the idea of unity from becoming entirely extinct in the unhappy nation.

"An immense impetus was given to the national idea when the nation which had been despised by the world so long gave birth to a ruler, and the Prince of Machiavelli became

[1] Which opposed the Emperors Frederic I. and Frederic II. in the twelfth and thirteenth centuries.

[2] Disciple of Abélard, and leader of the citizens of Rome against the Papacy; executed in 1155.

[3] Who became Tribune of a Roman Republic in 1347, and ruled in Rome for seven months.

[4] Despots of Milan in the fifteenth century.

incarnate in the person of Napoleon. The name of Italy was introduced into public law; and in the kingdom of Italy [1] hostile neighbours learnt to make up their differences and to feel themselves associates in one State. Yet even then a Federal Union was not ventured upon; and, after the Vienna treaties, any such scheme became absolutely impossible. The statesmen of the Vienna Congress, Metternich and Castlereagh, declared drily that Italy's national existence must be sacrificed to the peace of the Continent. A league with Austria was justly rejected by Count Vallaise, in the name of Piedmont, as 'a condition of perpetual slavery,' a league without the imperial city of Rome, which men had been toiling for in the forties, could never count on the co-operation of dynasties under an Austrian influence. And how difficult, or even impossible, was an enduring league with the Papacy, which had always, even in secular politics, made unscrupulous use of its right to bind and to loose! Even the proposed Customs Union of the reformed States never came to anything. Finally, after the battle of Novara,[2] attempts at Federation lost all the ground they had gained, since a deadly hatred separated constitutional Piedmont from the despotic dynasties. The middle parties, the leaders of which, Gioberti and Rossi, strove in the year 1848 for a monarchical Confederation, were now visited with a severe persecution from the courts. In such a desperate situation, at the time of the peace of Villafranca,[3] practical political science progressed more quickly than the literary movement. Men's thoughts reverted to the idea of a centralised State, which had already been put forward in the year 1814 by a few daring intellects; for the country was faced with this alternative: either renunciation of a national policy, or—annexation and a centralised State. Thus the open hostility of the dynasties and the great stress of the time saved the

[1] Revived by Napoleon in 1805; he himself was crowned King of Italy in that year.

[2] In 1849, when Charles Albert, King of Piedmont, was defeated by the Austrians under Radetzky.

[3] In 1859, imposed by Austria and Napoleon III. upon Piedmont.

Italians from that chaos of federative and unitary ambitions, which, in the case of Germany, impedes any resolute progress towards the unity of the nation. Manin [1] summarily described an alliance of monarchies as 'an alliance of princes against nations,' and this was indisputably true as applied to Italy, though only partly true as applied to Germany.

"Moreover, Piedmont was driven towards the goal of a national policy by far more strong and compelling motives than Prussia. Prussia had long been an independent power, while Piedmont was in the position of a shuttlecock thrown backwards and forwards between powerful nations, a power of the third rank; even, if we look more deeply, weighed down by the very importance that it had enjoyed centuries ago. The illusion that a State can be self-centred is defended in Prussia with a passable show of reason; but in Piedmont it was impossible for any length of time. 'Risk the crown of Piedmont for the crown of Italy,' said Pallavicino [2] to the House of Savoy; for since the dynasty of the counts of Maurienne was of foreign origin, like all the other Italian dynasties, and had not yet been recognised by the radicals as a naturalised Italian family, it could only rise to power by devoting itself unreservedly to a national policy. If the House of Savoy failed to respond to the call of the nation, the national party would have been obliged to unchain those republican elements, which in Italy are incomparably stronger and more energetic and more deeply rooted in national history than they are with us; and it would perforce have proceeded to the demolition of Piedmont. Without the aid of a great and persevering national ambition, Piedmont would have been powerless, cursed as she was with the absurd consequences which that crude and premature attempt made in 1820 to create an Italian kingdom drew down upon the head of Charles Albert of Carignan. And it had to be demanded of a State in such a desperate condition as this, that it should, in the full sense of the word, be merged

[1] The founder of the Venetian Republic of 1848.

[2] The Marchese Giorgio di Pallavicino-Trivulzio who brought about the union of Naples with the Kingdom of Italy in 1860.

in Italy. It must use every means to assist a national policy. Cesare Balbo's noble motto, *L' Italia fara da se,* was at once revealed by the inspired moderation of Cavour to be an impracticable idealism. In Germany such a radical policy is not possible. Our movement for unity began more tranquilly than the Italian, and it will take longer to reach its goal. The Prussian State is too precious a possession of the German nation for us to be able to cry to its king: 'Risk the crown of Prussia for the German crown!' A great State is more slow to resort to revolutionary measures, because it has greater things at stake. The kingdom of Italy at the present day pursues a more cautious policy than was adopted formerly by the kingdom of Sardinia. Also our position with regard to other countries is more difficult. We can neither rely on the moral approval of foreign nations (for they all regard our country either with scorn or with indifference), nor yet on the armed assistance of foreign sovereigns. A State like Prussia can never submit to the decrees of foreign nations, as Piedmont was obliged to submit; nor yet can it purchase their approval at the price of humiliating conditions.

"Italy had yet another circumstance in her favour. Particularism was of course more deeply rooted in Italy than it is with us, and the individual States made war on one another with an envious hostility which recalls the Hellenic world. But for the most part, in Italy, particularism took the form of an arrogant municipal spirit. The Genoese had long since been compelled to accustom themselves to the foreign yoke of Piedmont, and the Bolognese to their union with the hated States of the Church; the bureaucratic centralisation of modern States had stifled a municipal self-reliance, and every one must realise now that it is impossible, in this age of country states, that city states should be founded on the antique model. When once, however, men had learnt to renounce municipal ambitions, the way was cleared for a centralised State; for that territorial particularism, which was nourished in Germany by the

bureaucracy, did not exist in middle and upper Italy. The keener wits of the extreme particularists clearly foresaw that a bureaucracy, which suppressed the municipal spirit without creating a provincial spirit in its place, was assisting the progress towards a centralised State.

"We see, then, that a long series of historical facts, which did not exist in Germany, smoothed the path of the Italians towards the centralised State. But we must not forget the most important factor of all, the political and moral rejuvenescence of the national spirit. What a change of heart since Machiavelli, on the threshold of the modern world, indicated the direction of the political development of his country with the great words '*ad ognuno puzza questo barbaro dominio!*' A nation which had been disdained for its cowardice, and which had confirmed the unfavourable opinion of the world by its revolution of 1820, finds the courage for a heroic struggle; the nation which had invented the name of dilettantism, acquires the energy for persevering and devoted political labour; in the land of political murder there ensues a revolution conspicuous for its moral purity, and indeed, when we consider the atrocities of the dynasties, astonishing in its moderation; finally in the classic land of sectarianism, of mistrust, of irreconcilable feuds, the noble elements of bitterly antagonistic parties are seen uniting to work for a common end. So this memorable movement went forward with the certainty of a natural force; and, as it slowly advanced, it shifted its camp from the undisciplined provinces of the South to the regions of the North, the regions of a maturer political culture. Gradually it became divested of its party character, and, in the place of the colours of the Carbonari, it hoisted the national tricolour. Strong in her purpose, Piedmont advanced into Italy; she began to adopt the language and the customs of the great mother-country; and whereas, sixty years ago, Italy still 'ended at the Garigliano,' now, even in the most forsaken districts of the South, all noble hearts are kindled by the national idea."[1]

[1] *Hist. und pol. Aufsätze,* ii. pp. 226-30.

In conclusion, before leaving this masterpiece of political advocacy, we may instructively contrast it with the Prince of Machiavelli, a work which both repelled and fascinated Treitschke. Germany in the early nineteenth century, like Italy in the early sixteenth, was partitioned between a number of weak and mutually suspicious governments. In both countries there was need of a strong military power to overawe the vested interests which opposed the creation of a national State. Both writers are agreed that the interest of the nation must be set above the ordinary obligations of law and of morality. Both would welcome the violent overthrow of the smaller States by a patriotic prince. But Machiavelli sees no hope in any established dynasty. He looks for a Prince who will begin at the beginning, who will first make such a state as Caesar Borgia had made in the Romagna, and will then proceed to reduce all other States. Machiavelli pinned his hopes upon the craft and resolution of an individual adventurer. Treitschke finds his country in a less desperate situation. He sees already in existence a monarchy which is, or which soon may be, strong enough to do the work that is required. All that is needed is that Prussia and the Hohenzollerns should live up to their past traditions of conquest and of devotion to the national ideal. But there is not only a difference in the conditions with which the two writers have to deal. There is also a difference in their conceptions of the State. To Machiavelli the State is a cunningly compacted mechanism ; to Treitschke the State is an organism, which is strong not only by virtue of the ruler's personality, but still more through the spirit which animates and unites the citizens in devotion to a common ideal. This spirit, he holds, is fostered by the long-maintained habit of obedience to a well-ordered government and of participation in political life. It is, in his view, the Prussian spirit, rather than any technical excellence of the Prussian government or the Prussian military system, which marks out the Prussian kingdom as the predestined saviour of German nationality. Prussia is to reform the political state of Germany by a

moral victory over the forces of particularism ; by imposing her own ideals upon the citizens of other German States. For Treitschke, as for Machiavelli, *der Staat ist Macht.* But to the German thinker *Macht* means something more than brute force and cunning. It means the momentum of a people inspired with the ideal of national service and trained to sacrifice themselves in the service of the ideal.

Unfortunately the effect of continual controversy on Treitschke's mind was that the Liberal element in his conception of the National State tended to fall into the background. He found it difficult to admit that the opponents of Prussia had any right on their side or deserved the slightest consideration. Every act of resistance to the onward march of Prussia was in his eyes a crime against Germany. He assumed that argument was futile, that the last word lay with force and not with reason. He rejoiced at every successful stroke of force which brought Prussia nearer to supremacy; he no longer cared to inquire whether Prussia was likely to realise his ideal of the free constitutional State, or whether her policy was calculated to win the confidence and esteem of the German people. We see him at his worst in the pamphlet on "The Future of the North German Middle States" to which we referred in the last chapter. It is a violent impeachment of Hanover, Saxony and Electoral Hesse. Their offence was that they had united with Austria to uphold the German Confederation, with the ultimate object of saving themselves from Prussian hegemony. That they should suffer for the failure of Austria to protect them was natural enough. But Treitschke demands their extinction, as though they had been guilty of the worst of crimes. He hardly condescends to argue ; the pamphlet is a sustained invective on the text :—

"These dynasties are ripe and over-ripe for the annihilation which they deserve. Their restoration would imperil the safety of the new German Confederation, a sin against national morality." [1]

[1] *Deutsche Kämpfe*, i. p. 128.

The brutality of the course which he advocates is only aggravated by the contention that the Saxons and the Hanoverians will benefit, materially and morally alike, by incorporation with Prussia. "As Prussian citizens they will soon discover, if they have not already learned in this war, from the elevating spectacle of Prussian patriotism, that the human heart is richer and better when it has a fatherland, a real and true fatherland, for which we live and give our service, not a fatherland in the clouds, to which at dinner-time we dedicate the brimming cup. Especially for Saxony, entrance into the Prussian State would be nothing less than the first beginning of public life." [1] It is an additional offence of the Saxon and Hanoverian dynasties that they have not made themselves unpopular. "Would God the middle States were ruled by a bloody despotism which might arouse all noble passions to a stout resistance! The tyranny of the small German princes is more easy-going than this and therefore more pernicious for our drowsy nation; it insinuates itself by stealth and knows how to crush out all character without disturbance." [2]

Before he had finished writing, he received the news that Saxony was to be spared, though Hesse and Hanover were to be treated as he recommended. He closes on a note of mingled triumph and resignation. "In the great natural processes of history it is the first step that counts. The ball is set rolling, no god will stay its course. . . . The costly harvest which we are fated to reap from the blood-stained fields of Bohemia must not be curtailed by that Albertine dynasty, which even at this hour implores the help of foreign courts against Germany. The fate of Saxony will not be finally settled by the conclusion of the peace." [3]

[1] *Deutsche Kämpfe*, i. p. 133. [2] *Ibid.* i. p. 143.
[3] *Ibid.* i. p. 145.

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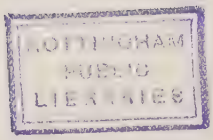


CHAPTER V

THE NORTH GERMAN CONFEDERATION AND THE FOUNDING OF THE GERMAN EMPIRE, 1866–1871

Though Treitschke had refused the summons of Bismarck to Berlin, he accepted, shortly after the conclusion of the peace with Austria, a professorship at Kiel (October 1866). Here for twelve months he preached the gospel of Prussian supremacy to the Holsteiners, "a people of colossal sloth and gluttony, of a stupid conceit the like of which I never saw in any people," who were so far from being grateful for annexation that they still spoke and thought of the Germans as foreigners. In October 1867 he gladly left Kiel for Heidelberg, to fill the chair of history which had been vacated by the death of Ludwig Haüsser, the historian of the War of Liberation. Here he remained till 1874. It was the happiest period of his life, spent among congenial colleagues and enthusiastic audiences. Much of his time was given to historical studies. He wrote here his studies of "Bonapartism," "Cavour," and "The United Netherlands." But his political essays of this time, collected in the two volumes of *Deutsche Kämpfe*, show that his interest in contemporary German politics never flagged.

One of these essays was devoted to the constitution of the North German Confederation, which was the work of Bismarck. This new league, if considered as a step in the direction of German unity, laboured under one obvious disadvantage. It was smaller in extent than the old Confederation which had been destroyed by the war of 1866;

Austria stood outside it as a matter of course, and so also did Baden, Würtemberg, and Bavaria. On the other hand, the bungling diplomacy of Napoleon III. had compelled the last three of these states to conclude alliances with Prussia, for mutual defence, while the North German Confederation was still in the making (1866) ; and their economic dependence upon Prussia was already bringing them to acquiesce in Bismarck's schemes for their inclusion in a wider Zollverein (1867). Further, the new Confederation was stronger than the old in two essential points. First, the supremacy of Prussia was assured. The King of Prussia was *ex officio* the President of the League, supreme in military and foreign affairs. The chief minister of the new Confederation, the Chancellor, was chosen by the King of Prussia ; and Prussia possessed votes enough in the Federal Council (*Bundesrath*) to block any resolution of which she disapproved. Secondly, the new Confederation was no mere league (*Staatenbund*) but a federal state (*Bundesstaat*) ; and the supremacy of the federal government over those of the constituent states was justified by the formation of a federal representative (*Reichstag*) which voiced the popular will. Events were to prove that Prussia could dominate the *Reichstag* as effectively as the *Bundesrath*.

This was far from being the *Einheitsstaat* which Treitschke had desired. He accepted it with a better grace than might have been expected, even prophesying that it would be the basis of German political life for a generation. But it is characteristic of his temper that he then proceeded to tear away the veil of forms and conventions with which Bismarck had disguised the real inferiority of Prussia's eighteen allies. " A secession of the Confederates," he said, " is made practically impossible by their own impotence as well as by the constitution of the Confederation." [1] " The comfortable existence of the small states is swept away once and for all ; only their taxes and their ridiculousness remain. . . . When the inhabitants of Thuringia and Saxony dis-

[1] *Deutsche Kämpfe*, i. p. 213.

cover that, thanks to their useless courts and their equally useless hordes of officials, they are more heavily burdened than the Prussian people . . . then will the desire for unitary government become a power in the nation." [1] He points out that foreigners have already begun to speak of the North German Confederation as a kingdom. And, in fact, he continues, it is Prussia which, with the approval of the nation (he gives this title to the peoples of the North German States), has drawn up the Federal constitution. This constitution, imperfect as it may seem, contains in itself the germs of growth; for both the King of Prussia and the Federal Parliament have strong reasons to desire that the Federal government shall be strengthened at the expense of the State governments. There is every reason to hope that the military forces of the States will soon be brought more completely under Prussian control, and that the State governments will be prevented from holding any direct communications with foreign courts.[2]

The grand defect of the constitution, in Treitschke's eyes, was the Federal Council (*Bundesrath*). His criticisms of this body—which acted as a ministry, but was in effect a congress of ambassadors—are the more worth reproducing because the *Bundesrath* survives to this day in the constitution of the German Empire :—

"Another institution, the Federal Council (*Bundesrath*), which also reveals very weak points to the critic, is even more difficult to reform. This remarkable institution combines the functions of a ministry, a council of State, a Senate of States (*Staatenhaus*), a general Customs Conference; and at the same time it represents the collective sovereignty. The several States are represented by delegates, who are bound by instructions; and the nation will find by experience, as it has already found at Regensburg and Frankfort, that particularist egotism is expressed with far less reserve through the mouth of such representatives as these than it

[1] *Deutsche Kämpfe*, i. p. 213. [2] *Ibid.* pp. 218-22.

is through the mouths of ministers who are personally responsible for their words. This is very unsatisfactory, but it is inevitable. If it is essential to preserve the form of a Confederation of States (*Staatenbund*), we might at least effect the complete transference of the supremacy in military affairs and foreign relations to the crown of Prussia (an end which seems to us, as we have said before, at the present day both attainable and desirable) ; but such a Confederation would be incompatible with an independent administration set above the individual States. For this reason, the executive cannot hold the same position of responsibility as a constitutional ministry. A delegate instructed by his cabinet is not responsible for the purport of his commission, but only for its faithful execution.

" It is not surprising that even moderate men in the Reichstag longed for a really constitutional government. This was no doctrinarianism, as was alleged by the governmental press. After the experiences of the Electorate of Hesse in the thirties and the forties, thoughtful Liberals know well that the legal responsibility of ministers signifies in practice very little, even when the whole apparatus of laws and boards prescribed by the constitutional theory is present in its entirety. It becomes only the more difficult for parliament and public opinion to insist on political responsibility. The political morality of the government as well as of the governed is impaired, if the nation does not know to whom to award praise or blame for the conduct of the State. Germany has already had some painful experience of this : on the occasion of any unpopular Federal resolution, the mandatories of the States washed their hands of all responsibility ; the lesser cabinets took shelter behind the Federal Diet ; and, as a result of this general hide-and-seek, party-life was poisoned and perverted. A repetition of this false situation is inconceivable in the North German Confederation, in spite of the similarity in the legal conditions. The President of the Confederation is represented in all seven committees of the Federal Council, two of which

he nominates on his sole authority; and he has a veto in military and naval matters. The predominance of Prussia is so great that the committees will in fact be Prussian commissions, assisted in their operations by a few provincial officials. No momentous step in Federal policy can be taken without the consent of Prussia. If the Prussian ministers (as the government has admitted unreservedly) are responsible to the Prussian Representative Assembly (*Volksvertretung*) for their conduct in the Federal Council; this is as much as to say that it is they who are above all responsible for the policy of the Confederation. The rights of the national assembly in relation to the executive remain the same as hitherto, and it will depend on the course of political development in Prussia whether the ministers will be subjected to that legal responsibility promised by the constitution, in addition to the political responsibility to which they have long been subject." [1]

It is clear from this passage that the effect of the new system would be to give a certain control over the Federal executive, not to the Federal parliament, but to that of Prussia. So far as the minor States were concerned, the government of the Confederation would not be a constitutional government. This is a point which Treitschke does not meet. His attitude towards the Federal parliament is the reverse of sympathetic. In one passage he suggests that the individual needs to be protected against the possible tyranny of this body, as well as against the possible tyranny of the executive.[2] He thinks that the control of the purse is the most important and most useful power for a parliament; but he does not wish that it should have the power of increasing or diminishing the army at its pleasure.

These remarks upon the Federal parliament bring us to questions of political theory which were much in Treitschke's mind between 1866 and 1871. He desired a strong executive, headed by a hereditary monarch. He did not desire

[1] *Deutsche Kämpfe*, i. pp. 222-3. [2] *Ibid.* p. 229.

a despotism. The State for which he demanded an absolute loyalty was to be governed by a king and parliament. What were the grounds of this preference ? and what measure of control did he wish the German parliament to exercise ? His answers to these questions are indicated in the essays on the Second French Empire (1871) and on Constitutional Monarchy in Germany (1869–71).

In spite of his dislike for Bonapartism, which he regarded as Greek tyranny brought up to date, he was impressed by the fact that the system of Napoleon III. had lasted longer than any other French constitution of the nineteenth century. Plainly it offered a provisional solution of problems which had proved too hard for the restored Bourbons, for the Orleanist monarchy, and for the Republic of 1848. It was a bad form of government, but it had probably been the best for which the French people were fitted when Napoleon III. established himself by the *coup d'état*. One at least of the objects with which Treitschke began the essay on Bonapartism was to prove that it would be entirely out of place in Germany ; he wrote the first draft in 1868, when Napoleon III. and his system was still invested with the glamour of success. At that time it was natural enough that some Prussian patriots should desire the Hohenzollerns to turn Bonapartists. In Germany, as in France, there was a strong monarchical tradition as old as the nation itself, and a weak constitutional tradition of comparatively modern growth. A German politician who believed in the importance of defending old historical traditions might very well denounce constitutionalism as a quack remedy, the invention of latter-day doctrinaires.

Treitschke, however, pointed out that France, unlike Germany, was destitute of any dynasty with historical claims to the allegiance of the nation. The French constitution was monarchical ; but the prize of the monarchy was within the grasp of every political adventurer. The Bonapartist despotism was founded upon a plébiscite, which gave to Napoleon III. the only title to sovereignty that

France would acknowledge as legitimate; and the fact that he had been elected by a plébiscite made it possible for him to arrogate unlimited powers, refusing any real share in the government to the representative assembly. What thinking Frenchmen had desired was a constitutional king; and they only tolerated the absolutism of Napoleon III. because they despaired of establishing something better, and because any form of monarchy was preferable to the anarchy with which they had been threatened in 1848.

But the desperate situation of 1848, and the long-suffering of French public opinion after the *coup d'état*, were due to the special history of the French nation. They were due to the disintegration of French political parties, which had become incurable since 1815; to a centralised system of local government, which gave the French elector no opportunity of a political education, and which had destroyed the old local communities with their power of corporate resistance; last, but not least, to the feud between the propertied classes and the labouring classes, which had grown up under the Orleanist monarchy, and had culminated in 1848 during the Socialist experiments of Louis Blanc. The propertied classes accepted Louis Napoleon as President because they needed a strong man to make headway against Socialist Republicanism, with its schemes for the redistribution of wealth. He was in their eyes a bulwark against the tyranny of the Fourth Estate. But he actually owed his power to the Fourth Estate, who hoped that he would govern entirely in their interest. There could be no doubt that, in the long-run, he was bound to favour the labouring classes and to treat the upper classes with contempt. The support of the workingman was essential to him; that of the upper classes was useful but not essential. There was the possibility that Germany might, in the future, be compelled to accept Bonapartism under the compulsion of the vote of the Fourth Estate. But, as Treitschke pointed out, the middle class had still the upper hand in Germany; while this state of things continued, Bonapartism was neither necessary nor desirable.

" It is difficult between such an excess of praise on the one hand and condemnation on the other to draw the hard, clear line of historic judgment ; it is all the more difficult because that inner self-contradictoriness of Bonapartism, that diabolic half-truth which we have so often signalised as the characteristic feature of revolutionary despotism, exhibited itself in the second Empire, with suicidal force. The third Napoleon scarcely made a single statement to which he did not himself give the lie by some contradiction, either of word or action. Personally he was perhaps more free from the dangerous passions which are the curse of modern France than any notable man among his French contemporaries ; yet that necessity for self-preservation which was the very essence of his system incessantly impelled him to goad on these passions ; and on himself and his house was fulfilled the Nemesis which was bound sooner or later to overtake the frivolous arrogance of the whole nation.

" The greatest difficulty of all in the way of arriving at an accurate political judgment springs from the social foundations of the new French State. Class-selfishness has at all times been the inalienable characteristic of all ruling classes ; but, in the eyes of posterity, it never appears more odious than when it has become a second nature, and so reveals itself simply and unconsciously. The literature of antiquity reveals unmistakably the intellectual arrogance of that huge aristocracy which took as little account of the poorer free men and the slaves as if they had been empty air. Very few suspect to what a degree we ourselves are steeped with the same sentiments. The middle classes, who rule public opinion in Germany at the present day, regard freedom of competition as being of the essence of social freedom, and freedom of discussion as the first and indispensable condition of political freedom ; and, after a series of memorable struggles, they have outgrown their unquestioning faith in the Church. To this frame of mind we owe the emancipation of the peasantry ; it has made our educated classes the freest and fairest of all the ruling classes of history. Yet a strenuous

self-examination reveals to us that, even while we are working for these pure political ideals, our thoughts are still in bondage. A haughty nobleman of the eighteenth century could better understand the ideas of the rising civic population than we could enter into the thoughts of our Fourth Estate.

"The disposition of the working classes has been characterised by Aristotle in the classic expression: *χαίρουσιν ἐάν τις ἐᾷ πρὸς τοῖς ἰδίοις σχολάζειν*; a statement which, in these more emancipated modern days may be qualified, but can never become entirely false. For these classes of society, private life and the toil and burden of domestic cares are the very core of their existence; but while, for that reason, they are fully justified in trying to gain some control of the conduct of the State, they are not in a position to perform any continuous and regular service for the State. They are seldom enthusiastic for that lively, intellectual war of mind with mind which to the cultured man is the bread of life; and they are prone to sacrifice freedom of thought for a benevolent administration which will exert itself to promote the well-being of the people at large. Of all the spiritual forces it is always the Church which exercises the strongest sway over a mind of this type. This is the reason why it is difficult for the scholar to give an accurate judgment on the latest stage in the development of Bonapartism. The importance of this Fourth Estate has never been so great in the modern world as under the Second Empire. In the days of the Convention, the Paris mob controlled the government of the State, and they derived a portion of their power from the smoothly-running administrative machine. Under Napoleon III. they stood outside the Government, and yet the Fourth Estate was still the most important class in the State. Continuous attention to the happiness of the multitude was the leading principle of the new Bonapartism. Even to-day, under the so-called Republic, the future of the realm lies undoubtedly in the hands of the peasantry and the working classes.

But, wherever the Fourth Estate predominates, its material conception of life will also predominate. Indeed, in modern France, this moral crudity, this disregard of all ideal good, appears so revolting, that we are led instinctively to a conjecture, which, it must be confessed, cannot actually be substantiated by historic proof. It appears, that is to say, as if the nobler Romance and Germanic elements of this mixed nationality had been entirely skimmed off, and the foul dregs of Celticism were bubbling up again. In order to discern, amid all its hypocrisy and immorality, the merit of such a system based upon the Fourth Estate, the man of culture must forcibly repress many of the dearest and most noble instincts of his class.

"The Second Empire fell within the two decades of modern times, which were, politically speaking, most fruitful; and, if we consider how rapidly, in a series of frantic leaps, the judgment of the world has changed with regard to the third Napoleon, we realise very forcibly how much older we have grown in a short time. As the incarnate contradiction of an ineffectual republicanism, the new Bonapartism wrought a deeper and more violent transformation in the social circumstances of the country than any other government of modern times. With the boldness of an absolute authority, it ventured on many deep and far-reaching reforms, such as a Parliament would have lacked either the courage or the impartiality to accomplish. But the precipitous downfall of this energetic system is only another confirmation of the rule that the existence of a government is the less secure in proportion as its activity is extended more widely." [1]

That Bonapartism was capable of producing good results was proved by the good work which Napoleon III. had done, both in his foreign policy and in home government, during the middle years of his reign. More especially Treitschke praises the record of the Second Empire in the years 1858–1860, when it helped Italy to achieve national unity, estab-

[1] *Aufsätze*, iii. pp. 290-2.

lished a moral supremacy over the Romance States of the Mediterranean, and embarked on a policy of free-trade which was expected to make the whole of Western Europe a single open market. But after 1860 the Empire degenerated, very largely through the weaknesses which were inherent in its structure. However earnestly Napoleon III. may have desired to stand above the feuds of parties and classes, he could never afford to forget that his power was derived from a Fourth Estate which could only be led by indulgence, by deceit, and by systematically suppressing free discussion. Treitschke gives him the credit due to good intentions and clear insight; but suggests that his personal merits only make more apparent the weakness of the system to the maintenance of which they contributed.

It is interesting to notice what Treitschke regards as the chief sins of the Second Empire against individual liberty. His catalogue reveals by implication some features of the ideal monarchy which he expected the Hohenzollerns to provide for Germany. He censures the Emperor for restricting the right of petition. Petitions might not be presented to the Legislative Chamber, which was the representative element in the constitution, but only to the Senate, which had the power to disregard them, and which, being composed of life-members, was not responsible to the nation. He notices again that the right of public meeting was practically destroyed; that the newspaper press was subject to a rigid censorship; that the elections to the Legislative Chamber were managed by the Government; that the proceedings of the Chamber were controlled by a nominated president; that the control which the Chamber was supposed to exercise over the budget was altogether illusory. The effect of all these restrictions was that, while the educated classes might discuss politics in the privacy of a salon or a learned society, the masses were prevented from forming or expressing an independent opinion upon political subjects, and their representatives were rendered impotent for good or evil. The edifice of the imperial constitution was most

ingeniously constructed ; it was buttressed by great vested interests. But there was no assurance that the Government would act in accordance with the will of the masses, though in the last resort it depended on the masses. It was in fact a Byzantine despotism which existed by perpetuating the divisions of the country :—

" At a first glance the consequence of this form of State appears inevitable. The pyramid of the old Napoleonic Government, created by a despotism for a despotism, based on the theory of the omnipotence of the State, found its natural apex in the elective autocrat, who uses his authority for the benefit of the masses, and, if the worst comes to the worst, is prepared for a revolution. The Council of State, too, had its numbers considerably strengthened, and, under the first Emperor, it formed once again the leading feature and the training school of the executive. It protected officials from legal prosecution, and its discussions on legislative projects were so precise and circumstantial that any further deliberation in a parliament seemed superfluous to the vast majority. The Civil Service was attached to the system by the immense increase of the number of official positions, and by the raising of salaries ; and the removal of troublesome characters without any scandal was facilitated by the newly established *cadres de non-activité*. Moreover, the independence of the judicature scarcely yet appeared as a bulwark against absolutism. Promotion to the Bench was invariably a reward for devotion to the dynasty. The choice of members of the Bench to serve on judicial commissions was no longer controlled, as formerly, by the presiding judge and the older councillors, but by the President and the Procurator General. By the side of this hierarchy of authority we find, as a prudent concession to the ideas of past days, the *système consultatif*, described by Persigny as the hierarchy of freedom—the legislative bodies known as the General, Departmental, and Communal Councils—which did not actually take part in the administration, but

were entitled to offer occasional advice to the bureaucracy in the name of the propertied classes. If the army could now be kept in a good temper by a short and successful war, and the masses by amusements and public works; and if the educated classes could be completely imbued with the toilsome and servile spirit of *fonctionnomanie* and the lust for gold; then would ensue a commonwealth, without any moral purpose, it is true, but quite capable of maintaining order and industry at home, and the authority of the State in foreign affairs—a modern counterpart of the Byzantine empire. At Byzantium, as in France, an Emperor, once acknowledged by the factions of the Circus, could count on a tolerably tranquil government; a rigid bureaucracy attracted all talent to itself, and secured for the State a thousand years of existence, for society an energetic commerce; an army which was technically first-rate achieved through the centuries a series of triumphs over the East Goths and the Vandals, the Cretans and the Syrians, the Armenians and the Bulgars. If we are to believe Carlyle and other powerful intellects of modern times, the ideals of freedom of our century are to be regarded on the whole merely as a kind of skin-disease of the present age." [1]

What was needed to make the system tolerable? The Liberal Opposition, after 1863, had striven for the English parliamentary system; but the conditions necessary for the success of parliamentarism were absent. France had no such stable and well-organised parties as were to be found in England; and the prospect of parliamentary government did not appeal to the French proletariate. What was needed, Treitschke thinks, was a reform of the administration which would give the people some share in local government. He had studied the views of Gneist and of Tocqueville on the English Constitution; from these writers he had learned that the secret of English liberty was to be found in the self-government of the English shire and the English municipality:—

[1] *Aufsätze*, iii. pp. 309-10.

"It is true that the healing of a sick State may be begun either from above or below, either by the administration or by the constitution. In France every conceivable experiment with the constitution had been tried long ago. The hope for a new revolution, which was expressed in the current phrase, 'France has pawned away her freedom,' was a childish consolation. The reform of the administration was the only way still open to political freedom. So long as local communities do not show any independence in their relations with the bureaucracy, the freedom of the press and of association leads inevitably to anarchy; and the extension of the rights of the national assembly leads to party despotism. Only by giving a greater freedom to the communes—to the extent, at least, that their mayors should no longer be arbitrarily selected for them—might the well-to-do classes possibly have been induced to regard an honorary local office as an honour. Only the active participation of the educated classes in the work of administration might some day have compelled the bureaucracy to cease from despising the advice of the press as the presumption of *hommes sans mandat.* And, above all, nothing but energetic participation in local government could possibly, in the midst of the storms of party-conflict, have revived the almost extinct virtues of political discipline and devotion to duty, and have done something to weaken the habit of unthinking and mechanical routine which governed the whole nation." [1]

But Napoleon III. was not entirely to blame for refusing to grant freedom of local government. The social situation in France made such a reform almost impossible. Free local government is hard to establish and harder to maintain when the Fourth Estate is sovereign. Free local government means, in the last resort, government by a local aristocracy, it may be of birth, it may be of wealth. The masses prefer to be ruled by paid officials, who stand above and outside class-quarrels. Free local government throws heavy

[1] *Aufsätze*, iii. pp. 326-7.

responsibilities upon the propertied classes, which only pressure from above will compel them to undertake. Prussia was successful in establishing the system in 1808; but the Prussian people had been long trained in the habit of obedience—such obedience as cannot be looked for under a democratic despotism.

In the essay on "Constitutional Monarchy in Germany" Treitschke pursues the same vein of thought. He holds that the English party system of government is no more applicable to Germany than to France. In Germany, and more particularly in Prussia, the traditional prestige of the monarchy is such that no ministry could impose its wishes upon a legitimate king. The King of a German State must be left to choose his ministers as he thinks best. It is unavoidable that his ministry should have a partisan complexion and depend to some extent on partisan support. But the constitutional king will see to it that his ministers subordinate party considerations to the interest of the State. He may make a mistake in his choice. Parliament should then be able to compel the retirement of the unpopular minister. It should not have the power to designate his successor. The ideal ministry is represented pretty well by the Bismarck ministry in the years 1866–71, when it had ceased to be a party cabinet:—

"The system of party-government has not proved successful in any of the great monarchies of the continent. The frivolous conduct of those jealous coteries which, under Louis Philippe, reduced all government to a game of grab, terminated with a disgraceful bankruptcy. Even Cavour's government only confirms the rule. That gifted statesman succeeded for a few years in completely dominating the Sub-Alpine parliament and in silencing trivial party differences by the great idea of Italian unity; but immediately after his death there ensued such a confused and disorderly party administration as no one could hold up as a model to our State. England alone, up to the present, has presented

those conditions which make possible a healthy development of parliamentary party government — a degraded crown, which has renounced its own freedom of will ; a magnificent and highly developed form of local self-government, protected by legal restrictions, a self-government which renders absolutely impossible the despotic interference of party-governments in local administration or in the management of the churches and the schools ; a ruling class which fills the offices in this system of self-government, and alone bears the greater part of the burden of taxation ; a subordinate Civil Service which is subject to the aristocracy in social as well as in political life ; a parliament which unites within itself almost all the practical political talent of the nation ; a Lower House, the majority of the members of which belong to the aristocracy, are elected by the overwhelming influence of the aristocracy, and are therefore at once susceptible to and independent of public opinion ; an Upper House made up of the heads of the aristocracy ruling in the House of Commons ; two great aristocratic parties, firmly bound together both by tradition and by family relationship, and united on all important questions relating to the constitution ; respected party leaders, who govern these parties with dictatorial authority ; finally, a nation, who regard the government with a vigilant open-mindedness, but cherish a sincere confidence in the political skill of their nobility. Let one of these pillars be struck down, and the whole mighty and ingenious structure of English parliamentarism will tremble to its foundations." [1]

One of the reasons why the system could never thrive in Germany is that the parliamentary career will never be the only career open to the German politician. The bureaucracy, whose existence is rendered inevitable by the many-sided activity of the German State, will always absorb a considerable proportion of political energy and political knowledge ; and this bureaucracy will always demand to be represented

[1] *Aufsätze*, iii. pp. 561-2.

in a German ministry.[1] It is improbable that German general elections will produce those large and stable majorities which are postulated by party government. Treitschke thought that, even in England, there was no security for the regular production of such majorities in the future ; in the past, he maintained, they had only been ensured by the existence of pocket boroughs and treasury boroughs. And, he asked, how could the system possibly succeed in the German Empire which started with a popular franchise, and which could not restrict the franchise with any safety ?

But in arguing against the party system, Treitschke is not arguing that the King's ministers should be responsible to the King alone. He wishes them to be responsible in law for every act done against the law. He holds that this legal responsibility must be expressly enunciated and defined by legislation ; otherwise there is no hope that a German bureaucracy will respect the constitution. Such a special law is unnecessary in England, but in Germany, he would have us understand, there is a real danger that power may fall into the hands of a Strafford.[2]

Legal responsibility is in itself no guarantee that a minister will give effect in his policy to the wishes of the nation. But Treitschke argues that a non-party cabinet will always be compelled to defer to the popular will, as expressed by the representative chamber. For it will not command a ready-made majority ; it must purchase support for its own measures by a certain degree of complaisance. Even Bismarck was obliged at times to rid himself of reactionary colleagues, certainly not from any love of liberal doctrines. Treitschke is not prepared to make the ministry dependent upon parliament by giving to the latter the full " power of the purse." He remarks that even in England it has been found necessary to restrict, in practice, this old and much-belauded privilege of the Lower House :—

" It sounds incontrovertible, but is as a matter of fact

[1] *Aufsätze*, p. 562.

[2] *Ibid.* p. 567.

only an empty quibble to assert that, out of the right to vote individual taxes there follows automatically the right to refuse them altogether. The right of voting taxes is entrusted to the Lower House, in order to safeguard the interests of the tax-payers, and to exercise an effective supervision over the State-revenues ; and not in order to subvert the State, nor yet in order to subject the Crown to the Lower House. The resolution simply to refuse taxes is always an insincerity ; it does not mean what it says. It cannot mean that the payment of taxes should cease, and that the State should be abolished ; what it does mean is, by a powerful threat, to attain some other end, for instance, the overthrow of a minister. But to threaten with an impossibility is always futile. A parliament which is strong enough to overthrow a ministry by a vote of want-of-confidence has no need to refuse taxes. A parliament which does not possess this power will be even less in a position to exercise the very much more oppressive right of starving the State into surrender. It is the old amusing story of the boy who found himself unable to roll away a big stone, and so looked for a heavy lever. No doubt the lever would have been able to move the stone, but the boy could not move the lever." [1]

He is thinking, naturally, of the deadlock which occurred in Prussia between 1862 and 1866, when the House of Representatives had rejected the budget to express their disapproval of a new and severer rule of military service. It is significant of the change in Treitschke's opinions that, whereas in those years he had blamed Bismarck for the deadlock, in 1871 it is now the House of Representatives which he censures :—

" It was inevitable that such an absurd right of budget-control, in the case of a nation with a strong sense of justice, should entail a violent struggle. Weak parliaments are always inclined to make an indiscriminate use of their rights ;

[1] *Aufsätze*, iii. p. 570.

and while, in fact, the passing of the budget does always essentially depend on the Lower House, the Prussian House of Representatives, as a result of the absurd regulations of the constitution, could not feel the full measure of this heavy responsibility. The House washed its hands of the matter, and declared emphatically during the conflict: 'It is not we who have rejected the budget.' This was so in appearance, though not in fact; for the House of Representatives gave the Budget a form, which, as every one knew, could not be accepted by the two other factors. The conflict is forgotten, but the unfortunate regulations of the Prussian constitution have unhappily, with some trivial alterations, been adopted in the constitution of the North German Bund. The German Reichstag has, indeed, an indirect right of granting taxes, since it fixes the amount of the quotas which are to be paid by the States. But the Commander-in-Chief of the Federal Army receives under any circumstances definite sums for the maintenance of the present peace-strength of the Army; so that, as a matter of fact, he disposes of the greater part of the Federal revenues." [1]

The subject of financial control is one which causes Treitschke considerable embarrassment. He rejects as impracticable a proposal to distinguish between ordinary and extraordinary taxes, to make the ordinary taxes unchangeable over a considerable period of time, and to earmark them as the source of supply for the permanent needs of the States, only leaving the Parliament free to reject proposals for new expenditure of a less essential kind. To draw a dividing line between essential and non-essential expenditure he thinks extremely difficult. In England the standing Army is voted afresh in each year as though it were non-essential; a Prussian Parliament might take this view of the Prussian Army, and if it did so would at once come into conflict with the Prussian monarchy. He comes to the conclusion that there is no legislative expedient by which quarrels over

[1] *Aufsätze*, iii. p. 573.

expenditure can be prevented, and no unobjectionable definition of the financial control which should belong to the legislature. He merely hopes that, as the influence and the self-restraint of German parliaments increase, they will be able to exercise a salutary and effective control. Such a control would not be a source of weakness to a wise and moderate constitutional monarchy.

For Germany, however, it should be an easy matter to elaborate the much more efficient check upon the central government which is supplied by a scheme of local self-government. Prussia, he points out, has already taken some notable steps in this direction. Her municipalities enjoy a remarkable degree of self-government; her Circles and Communes play an important part in financial and military administration. In the development of such tendencies lies the strongest safeguard against the encroachments of a bureaucracy which makes new laws under the pretext of interpreting those enacted by the legislature, and goes on the principle that everything is permitted to it which is not expressly forbidden by the law. An unfettered bureaucracy was necessary to a State like Prussia, when her whole energies were required for the reduction and absorption of the small States by which she was surrounded. But now the time has come for returning to the older Germanic tradition of free local government. He pleads for a sweeping reform of Prussian local government which shall start from this first principle. Self-government must be introduced into the Provinces, into the Circles which make up the Province, into the Communes which make up the Circle.[1] He is particularly anxious that the independence of the Provincial government should be assured, and that its sphere should be enlarged. For example, he would give each Province some control over education. Greatly as he admires the centralised State, he is still enough of a Liberal to feel that it would be disastrous if the education of every citizen in the State should be conducted on uniform lines, and those the lines laid down

[1] *Aufsätze*, pp. 585-6.

by a single Minister of Education. Local self-government is a potent method of training the political opinion of the country, and of giving it a real weight. But free education is even more important as a safeguard of political liberty ; a free nation requires an intellectual aristocracy which can never be reared under the paralysing uniformity of a centralised educational system.

The constitutional position of Treitschke is then a middle position. He says himself that he will be criticised as a fanatical supporter of centralisation, who at the same time desires to curb the central power by Liberal checks and balances. He holds a middle position between the agitators of 1848 and the Prussian school of Bismarck. The patriot statesman of his dreams is a statesman like Cavour, who is not afraid of resisting revolutionary idealists when they attack the old institutions and traditions of his country. Treitschke holds that the radical democrats of Germany have always been, and must remain, the enemies of national unity. But the monarchical state which he desires is to be more Liberal in spirit than any Prussian government had been since the time of Stein and Hardenberg. It was not to be the slave of public opinion ; but it was to be limited by law and always in close touch with the intelligent and reasonable aspirations of the educated classes. This is an intelligible and indeed an imposing ideal. But it involves certain dangers to political liberty, which are more evident now than they were when Treitschke wrote. His constitutional monarchy might fail to represent the true wishes of the nation ; it might be, it probably would be, supported by the bureaucracy and the military hierarchy. Under such circumstances a parliament, invested with the limited powers which Treitschke would allow to it, is unlikely to assert the national will with effect ; and it will be left for the masses or the organs of local self-government to resist the administration by revolutionary methods. Such methods are nearly always tried too late, and inevitably produce evils as serious as those which they are intended to remedy.

But to all such doubts and questionings Treitschke would probably have replied that, if we have to choose between a strong government and a free government, we must take the first alternative. At all events he was clear that, for Germany, the question of liberty was much less urgent than the question of making and maintaining a strong government :—

"Great political passion is a precious treasure. The jaded hearts of the majority of mankind afford it very little space. Happy the generation on whom a stern necessity enjoins a sublime political ideal, a great and simple and universally comprehensible ideal, which forces every other idea of the age into its service ! And such an ideal exists among us to-day—the unity of Germany ! Whoever fails to serve this ideal is not living the life of his nation. Our life is spent in camp. At any moment an order from the Commander-in-Chief may summon us to arms again. It is not for us to pursue the myriad glittering hopes of freedom which flutter through this age of revolution, to let our eyes be blinded by desire. It is for us to stand shoulder to shoulder, disciplined and self-controlled, and to guard loyally that treasure of our unity, the German monarchy, that we may hand it down to our sons, who — perhaps more free from care, but not more happy than their fathers have been all through the hard struggle—shall some day increase the glory of the German State. To fight for the unity of Germany is to defend freedom of thought against a Roman lust for power ; the achievement of German unity will mean the restoring to itself of a young and moral nation, as yet only in the second quarter of its wonderful history. If we fulfil this duty, then a proud future is assured for the ideal of parliamentary liberty on German soil." [1]

In conclusion, we may quote a passage from the *Politik*, which can hardly have been acceptable to his non-Prussian auditors ; which, at the time when it was written, hardly

[1] *Aufsätze*, iii. p. 625.

represented the exact nature of the Empire ; but which is instructive as showing what, in the eyes of an uncompromising Prussian, would be the logical process of Germany's political evolution. Treitschke proclaims that, in spite of all appearances, Germany has become an *Einheitsstaat* :—

" There are features which are common to the Empire and to the two republican Confederations, and most authorities on Constitutional Law leave the matter there. But we historians must consider the historical foundations and the living spirit of the politics of the Empire ; and, when we do this, it becomes perfectly clear that, if the Empire is compared with these Confederations, it is seen to rest on an entirely opposite principle. While a Confederation must endeavour to obviate as much as possible any inequality among its members, the German Empire, on the contrary, is based on such an inequality, that is to say, on the fact that there is one dominant State, which links and subordinates the other States to itself by means of a Confederation. What would become of Germany, if the Prussian State ceased to be ? The German Empire could no longer continue to exist. From this follows the—to most people—disagreeable truth, which, however, really implies nothing at all injurious to a non-Prussian, that, in this German Empire, only one of the former States, namely Prussia, has preserved her sovereignty. Prussia has not lost her right of arms ; nor does she need to allow her own prerogatives to be limited by others. The German Emperor is at the same time the King of Prussia. He directs the arms of the nation ; and it would be indulging in unprofitable quibbling to imagine cases in which the German Emperor and the King of Prussia should come into conflict with one another. It is nothing else but a feeble jest to say, ' I would not advise the German Emperor to start a quarrel with the King of Prussia.' Talk about a ' War-Lordship in time of peace,' of which our minor kings could also boast, is the privilege of theorising German professors ; and it is the laughing-stock of foreigners. In its

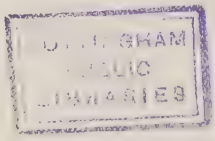
outward forms the change has been effected with the very utmost consideration. Even the Prince of Reuss can boast on paper that he has an army, and courtly mythology refers to this battalion as the Reuss army. This complaisance has, in fact, been carried too far ; but it does not alter the fact that, in reality, in spite of political reservations, the King of Bavaria is, just as little as the King of Saxony, in a position to mobilise a single soldier for purposes of war. In war, the German Emperor is War Lord. The right of arms has been transferred to the Empire, and it is in the same hands as the State of Prussia.

" Further, of all the German States, only Prussia is able to maintain her prerogatives undiminished. After the foundation of the Empire, suggestions for altering the constitution were rejected if there were 14 votes against them in the Federal Council, and hence Prussia's 17 votes were alone sufficient to prevent any legal restriction of her prerogatives. But, in the third place—and, strangely enough, this is a point which is generally passed over in silence—the obedience of the constituent states is insisted on in the Empire, as in any other State. So we find in the Imperial Law, as an extreme remedy, ' execution,' a shining sword, which has never yet been actually drawn, only rattled once or twice in its scabbard. Fortunately, the sense of loyalty among the constituent parts of the Empire is so strong that this means has not yet been employed. But it is there ; the rebellious State may, by means of an ' execution,' be compelled to obey the laws of the Empire. It is the Emperor, however, who performs this ' execution ' ; and the Emperor is not likely to inflict it on the King of Prussia. The possibility of any one giving himself a box on the ear need not be seriously considered.

" The whole Empire is based historically and politically on the fact that it is (as Emperor William once said to Bismarck) ' an extended Prussia,' that Prussia is the dominant factor, both in fact and in formula. What is our German

Imperial Army? Unquestionably it is the Prussian Army, which, by the Army Bill of 1814, was developed into a nation in arms, extending over the whole Empire. The German Imperial Post, the Telegraph system, the Imperial Bank (*Reichsbank*) are old Prussian institutions, extended to the Empire. In all this there is no cause for complaint. Every Prussian must feel it to be quite right that the best political institutions should be extended to the rest of Germany; and every reasonable non-Prussian must find cause for rejoicing that Prussia has brought the name of Germany into honour once again. The conditions are such that the will of the Empire can in the last instance be nothing else than the will of the Prussian State." [1]

[1] *Politik*, ii. pp. 343-6.



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CHAPTER VI

THE FRANCO-GERMAN WAR

CONCERNING international politics Treitschke had little to say before the year 1870. One reason which moved him to champion the cause of German unity was a conviction that the German nation would never develop to its full stature until it could play a leading part among the great powers, and use its power for the furtherance of foreign trade and colonisation. Long before 1870 he was accustomed to think of war as a sharp medicine for national disunion and waning patriotism. The Franco-German War, however, led him to think more intently of the rights of the German nation as a member of the European state-system.

Needless to say that he rejoiced over the outbreak of the war. "Who is so blind," he wrote,[1] shortly after the outbreak of hostilities—"Who is so blind that he cannot see in the marvellous events of these latest days the divine wisdom which constrains us Germans to become a nation?" The war, he said, had kindled a spirit of patriotism in the North German Confederation which would do more for national unity than a decennium of peaceful evolution. The call to arms had dashed all parties into fragments. The idea of nationality had proved stronger than those who believed in it had ever dared to hope. The war had lifted up the hearts of all patriots; they felt that they were engaged in a holy war, a war for the liberation of the world.

[1] *Deutsche Kämpfe*, i. pp. 307 ff. (*Die Feuerprobe des norddeutschen Bundes*).

It had also forced even South German princes to recognise the King of Prussia as the head of the nation. For Germany the war was indeed a blessed necessity; it was ordained to consummate the work of unification which had been half accomplished by the war of 1866. The war was not only beneficial to Germany; it was also a blessing to the world. In this iron age it was necessary for the civilisation of the world that one nation should emphasise the ideal significance of war; that Germany should show how a righteous war should be waged. France had embarked on a career of plunder with the over-confidence of a bully. England had degenerated into a shameful cowardice. There would have been an end to European state-law and European liberty if Germany had not come forward as a nation under arms, ready for peace but also ready for war. Germany would never complain that she had been left to fight the battle of Europe single-handed.

Nevertheless Treitschke complains bitterly that England has neglected her duty to Europe in deciding to stand neutral, when she ought to be fighting for European liberty:—

"Where once was England there now gapes an immense void in the life of the nations. We had hoped—as who would not that had any heart for freedom—that this native land of parliamentary life would be preserved from the fate of all commercial nations. We had thought that the great memories of a glorious past, the wisdom of a statesman-like aristocracy, and the righteousness of a free people, would have raised a solid dam against the invading flood of that Manchester theory which threatens to sweep away all faith in the moral values of life. That hope seems now to have been proved deceptive; the descent of the island kingdom, down that precipitous path that was once the path of Carthage and of Holland, seems already to have begun. The plans which are now harboured in the Tuileries can never be accepted by Germany or Europe; for with the German left bank of the Rhine, Belgium, too, would be irrevocably

lost. Is there not one among the British statesmen who can perceive what a scornful contempt for England was implied in the fact that the descendant of Napoleon even ventured to embark on such a war—a marauding expedition, such as even the light-heartedness of a Palmerston would never have tolerated? They perceive it quite well, but the lust of mammon has stifled every feeling of honour, every feeling of right and wrong; cowardice and sensuality take shelter behind that unctuous theological rhetoric which, to us free German heretics, is the most repulsive of all the defects in the English character. We seem to hear that reverend snuffle, when we see the English press turn up pious eyes full of indignation against the unchristian and warlike nations of the continent. As if almighty God, in whose name Cromwell's Ironsides once fought, would enjoin upon us Germans that we should allow the enemies of our country to march unmolested upon Berlin. Oh hypocrisy! Oh cant, cant, cant! To all appearances, the fight will go on to its finish, without England once brandishing her trident. The correspondents of the *Times* will rouse their readers to pious indignation, as they describe, with sublime tranquillity of soul, the memorable duel of the two big brawlers. The London Benevolent Society will conscientiously send so many pounds and shillings to Berlin, and exactly the same number of pounds and shillings to Paris. The English traders will, like the Mynheers of Amsterdam on a previous occasion, sell powder, coal, and horses to France; and, as a compensation to ourselves, the officers in the military clubs will stake large sums on the victory of the German arms. When peace does at length ensue, the weight of the wide world's contempt will lie like a mountain on England's shoulders; and a sympathetic European Congress may perchance assemble which will pronounce the island kingdom to be neutral like Belgium and Holland, and will enable the mistress of the seas to sell her war-fleet, like a discarded plaything, to the highest bidder." [1]

[1] *Deutsche Kämpfe*, i. pp. 316-17.

At the end of August 1870, after the battle of Gravelotte and before the crowning mercy of Sedan, Treitschke published a second essay discussing the terms of peace which in his opinion Germany was entitled to demand.[1] His main object was to insist that the annexation of Alsace-Lorraine was both legitimate and necessary; and the arguments by which he proves his point are interesting, because they reveal his conception of the rights and duties of a national State. The State has a right to "natural frontiers"; and he suggests that Germany has on this ground a right to annex not only Alsace-Lorraine, but also Russian Poland as far as the Vistula. "This armed nation of ours is not in a position to send forth its sons at any moment to hunt down greedy neighbours. Our military organisation is meaningless without defensible frontiers. . . . We owe it to the continent of Europe to provide a permanent guarantee for the peace of nations."

He then turns to consider the objection that the populations of Alsace and Lorraine have no desire to be reunited with Germany:—

"Who, in the face of this our duty to secure the peace of the world, still dares to raise the objection that the people of Alsace and Lorraine have no wish to belong to Germany? Before the sacred obligation of these great days, the theory of the right to self-government of every branch of the German race—that seductive battle-cry of expatriated demagogues—will be ignominiously routed. These provinces are ours by the right of the sword; and we will rule them in virtue of a higher right, in virtue of the right of the German nation to prevent the permanent estrangement from the German Empire of her lost children. We Germans, who know both Germany and France, know better what is for the good of the Alsatians than do those unhappy people themselves, who, in the perverse conditions of a French

[1] "Was fordern wir von Frankreich?" in *Deutsche Kämpfe*, i. pp. 321 ff.

life, have been denied any true knowledge of modern Germany. We desire, even against their will, to restore them to themselves. Through the enormous changes which have been accomplished in these times, we have discerned so often, with glad astonishment, the undying influence of moral forces in history, that it would be impossible for us to believe in the absolute worth of a referendum. The spirit of a nation embraces successive as well as contemporary generations. Against the misguided wills of those who are living now we invoke the wills of those who lived before them. We call to witness all those strong German men, who once impressed the stamp of our spirit on the speech, the customs, the art, and the social life of the Upper Rhine; and, before the nineteenth century is ended, the world will recognise that the souls of Erwin von Steinbach and Sebastian Brandt are living yet, and, that in disregarding the wills of the Alsatians of to-day, we are only fulfilling an injunction imposed by our national honour.

"For two centuries, ever since the rise of the Prussian State, we have been striving to free our lost German territory from a foreign yoke. It is not the task of this national policy to include within our new Empire every clod of German soil which we surrendered in the days of our weakness. We gladly suffer that the portion of our nationality contained in Switzerland should develop in peace and freedom, independently of the German State; we are not counting upon the decay of Austria; nor do we desire to disturb the separate existence of that German stock which has constituted itself into an independent little nation in the Netherlands. But we cannot suffer German nationality to be systematically ravaged before our eyes and even so far degraded as to offer willing service against Germany." [1]

The Alsatians and the Lorrainers must be forced to be free, both for the security of the German nation, and to

[1] *Deutsche Kämpfe*, i. pp. 326-7.

vindicate the natural rights of every German stock to maintain and develop its own racial characteristics. "The rule of Frenchmen over a German stock was at all times a vicious state of things; to-day it is a crime against the intelligence which directs human history, a subjection of free men to half-civilised barbarians. Sooner or later the hour was bound to strike when the growing German State would be compelled to demand securities from France for the maintenance of the German nationality in Alsace." [1]

Lastly, the annexation of Alsace-Lorraine will give new strength to the centripetal tendencies of the German State:—

"If, by our united efforts, we win for the German State this seriously endangered outwork, the nation will indeed have dedicated its soul to the thought of unity. The recalcitrant new province will strengthen the unitary trend of our politics, and will compel all thoughtful men to flock in loyal discipline about the crown of Prussia; and this gain weighs all the heavier, since it is always a possibility that a new republican outbreak in Paris may attract the admiring gaze of German radicals towards the West. The horizon of German politics becomes freer and wider from year to year; if the nation once feels that the vital interests of the German State already extend into the Slav, the Scandinavian, and the Romance countries, that we are in the very midst of the greatest and sternest revolution of the century; then our parties, too, will learn to rise above the disputatiousness of faction, above the pettiness of a doctrinaire programme, to a great, strenuous, and positive conduct of the affairs of the State." [2]

Finally, the possession of Alsace is necessary if Germany is to develop her economic resources as befits a great power:—

"There is also an important economic aspect of the

[1] *Deutsche Kämpfe*, i. p. 328. [2] *Ibid.* i. pp. 329-30.

question. Enthusiastic descriptions of Germany's rich and favoured fields form an inevitable chapter in our patriotic catechism, and will be found in every German school-book. They are touching as a sign of loyal devotion to the land of our fathers, but they are by no means true. On the contrary, a sober judgment will not deny that Nature has been a hard stepmother to our country. The strikingly diminutive proportions of our short North Sea coast, the direction of most of the German rivers and mountains are as unfavourable to political unity as they are to a world-commerce. Only a few tracts of German country can compare in natural productiveness with fertile Normandy, with England's luxuriant plains, or with the fat cornlands of inland Russia. But here, in Alsace, we actually find a German district, the soil of which, under a genial sky, oozes with a fertility equalled only in a few favoured spots, in the Palatinate beyond the Rhine, and in the uplands of Baden. An unusually favourable conformation of the ground has here made it possible to conduct canals from the Rhine to the basins of the Seine and the Rhone through two gaps in the mountain ranges—magnificent waterways, such as the German soil very seldom renders possible. We are by no means rich enough to renounce so precious a possession." [1]

Finally, it is not enough that Germany should take from France those French provinces which are inhabited by men of German descent. Though Belfort and Metz are thoroughly French cities, it is for military reasons essential that they should be annexed. The general rule that political and racial frontiers ought to coincide must not be pushed too far; that would be doctrinairism. "Justice and common sense approve our claims as moderate, if we only demand the German lands of France, and so much Romance land as is necessary for their security." A Frenchman might answer that, by such arguments, the original French

[1] *Deutsche Kämpfe*, i. pp. 330-1.

annexation of Alsace-Lorraine, which Treitschke denounced as mere robbery, could equally be justified.

The best that can be said of this reasoning is that it leads Treitschke to much more moderate conclusions than his disciples have reached from the same premises. He regarded the independence of Belgium and Holland as necessary for the sake of European peace.[1] He admitted that some of the German lands which France had conquered in the distant past no longer showed any trace of German speech or German manners. He said that the historical claim of Germany to the Rhone valley could no longer be seriously entertained. He deprecated the idea of restoring the German *Weltreich* of the Middle Ages. The German State must be founded on the idea of German nationality. The safe rule was to annex only those lands in which the peasantry were still Germans at heart; for in the end the national sympathies of the peasant would ultimately determine those of the higher social classes. "Every nation is rejuvenated and renewed from below; from the healthy peasant class at the bottom of society are continually welling up new springs of energy, while city populations change rapidly and upper-class families either degenerate or stray away into foreign countries. This is what we Germans continually experience in the colonies of East Germany. Wherever we succeed in Germanising the peasantry our nationality stands unimpaired; wherever the peasantry remained un-German, our German civilisation still fights for existence."[2]

Treitschke has then a good, or at least a practicable, working rule on which to base his policy of annexations. But on the subject of international relations, the rights and duties of nations *inter se*, his ideas are as chaotic and as unhistorical as those of the Jacobins whom he so cordially detested. At one moment he talks in the language of old-fashioned statesmanship, appealing to international law, denouncing the robberies of France, calling on his country-

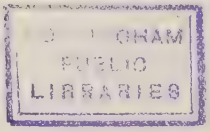
[1] *Deutsche Kämpfe*, p. 333. [2] *Ibid.* i. pp. 333-4.

men and on Europe to vindicate the legal rights of Germany. At another he appeals to principles such as " the right to defensible frontiers," or " the right to unimpeded economic development," which neither have nor can have any place in public law. His desire to dismember France, so far as to make her incapable of mischief, is perfectly intelligible ; it may be even justified on the ground that he honestly believed France to be the aggressor in the war of 1870. But, in arguing that Germany has a right and a duty to take Alsace-Lorraine, he commits himself to anarchical and inconsistent doctrines. These provinces are to be annexed in the name of German nationality ; and yet he admits that their civilisation is French. Their inhabitants are to be liberated, even though they have no desire to shake off French rule. They are to be annexed because they were German in the past ; and yet he admits that the Rhone valley, which stands in the same case, ought not to be annexed. He would annex in the interests of civilisation ; but it is a sufficient excuse for annexation if the lower and less civilised classes are prepared to welcome German rule. The opinion of the educated classes is not worth taking into account ; they must accept that form of culture which their uncultivated inferiors would prefer. After reading arguments of this kind we shall not be surprised by the naked doctrine that Might is the sole test of Right which meets us in the more formal and abstract discussions of the *Politik*. It is on the side of international relations that Treitschke's political philosophy is least considered and also most repellent. His idea of public law was based upon a study of the two wars of aggression by which Bismarck founded the German Empire. For European history, as Ranke and the historians of his school had conceived it, Treitschke had no liking. The relations of States with one another filled him with tedium or disgust, unless the fortunes of Germany were involved. He was as " insular " as it is possible for a native of Central Europe to be. In 1854 he had told his father :—

"These affairs of German politics interest me now a thousand times more than the great European question. This half-decayed Turkey; . . . this timid and perfidious policy of France and England; . . . this Tsar Nicholas to whom, though he is as I believe most flagrantly in the wrong, one cannot refuse a certain reluctant admiration . . . there you have indeed a mixture of impotence and brute force than which nothing can be more tiresome." [1]

A youth who could write this, when the Crimean War was in sight and the whole future of South-Eastern Europe seemed to hang in the balance, was not likely to follow the international complications of the next twelve years with close attention, or to gain much insight into the true nature of international relations. We need not be surprised to find that the least satisfactory pages of the *Politik* are those which deal with the subject of treaties and of public law.

[1] *Briefe*, i. No. 97.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CHAPTER VII

"DIE POLITIK"—(I) THE NATURE OF THE STATE

§ 1. *Origin of the "Politik"*

In 1874 Treitschke quitted Heidelberg to take up a professorship of history in the University of Berlin; and at Berlin he remained until his death in 1896. On the new stage he did not cease to play an active part in politics. He had entered the Reichstag in 1871, and he continued to sit for the same constituency until 1884, first as a member of the National Liberal party, afterwards as an independent critic, but usually in agreement with Bismarck. In spite of his deafness he attended the debates with regularity, learned what was going on by looking over the shoulder of some reporter, and not infrequently delivered a weighty speech. As a pamphleteer and journalist he wrote much on current topics, such as Socialism (of which he was a staunch opponent), the Labour Question, and Universal Suffrage. But the most important fruits of his work at Berlin are the two volumes of lectures on *Politik* and the five volumes on *Deutsche Geschichte im 19 Jahrhundert.*

It is with the *Politik* that we are specially concerned in this and the two following chapters. The book is a compilation from the note-books of pupils who heard him lecture at Berlin. The lectures were delivered from fragmentary notes, and consequently we have no right to expect a rigid precision of language or absolute consistency at every point of the course. But there was no course to which Treitschke devoted more

labour, or with which he was better satisfied. He delivered it annually, and regarded it as his chief opportunity for instilling his political views into the minds of successive generations of students. And it was far from being a series of random effusions. It was founded upon a course which he had delivered in his youth at Leipzig and Freiburg, and which he had repeated at Heidelberg. Into it he wove the best of the political ideas which he had elaborated in his essays, from *Die Freiheit* onwards. These ideas did not always benefit by transplantation from their original context into an academic oration. Half-truths, which are salutary correctives to the equally one-sided views of a political opponent, may become monstrous paradoxes when the original debate is forgotten. Not infrequently we must refer back from the *Politik* to the essays in order to grasp Treitschke's meaning, or to understand how he arrived at such a debatable conclusion. These lectures have the faults which are common to all abridgments ; in particular they are excessively dogmatic whenever they deal with the ultimate problems of political science. Obviously they were swallowed as a gospel, not so much because they furnished reasoned proofs as because the lecturer voiced with extraordinary aptness the views which were fashionable with young Germany between 1874 and 1895 ; because they were an eloquent defence of Prussia, of Bismarck, of the wars against Austria and France ; because they expressed the new ambitions of Germany for " a place in the sun," for sea-power, for foreign trade, for a colonial empire. Germany was strong in those days, and thought herself stronger than was actually the case. Treitschke taught her that the strong have the right to take what they desire by any means they can.

He was travelling far from the Liberalism of his youth, and he might well write to his friend Overbeck, who twitted him with repeating lectures of the Leipzig days : " You would hardly recognise one stone in the old building." He was becoming conservative, partly because he did not sympathise

with modern social movements, which he regarded as the offspring of sentimentalism and as a menace to the true strength of the State. Though he had reconciled himself to universal suffrage as an unavoidable necessity, he was now more insistent than ever that the constitution of the State and of society itself must be aristocratic. " The masses must toil at the plough, at the forge, at the carpenter's bench so that a few thousands may be students or painters and poets." [1] He even went further, and maintained that the social aristocracy must be in the main a hereditary caste : *fortes creantur fortibus et bonis.* The State was bound to interfere, by means of factory legislation and similar measures, to prevent Capital from abusing its power over Labour. But the Socialist was as great a danger to the State as the Individualist of the Manchester School had been in the past.[2] He grew conservative because he held that the policy of Bismarck had not only been justified by success in the immediate past, but offered the best hopes of promoting national greatness in the future.

§ 2. *Method of the " Politik "*

At the same time, like many other conservatives, he regarded himself as an original and even a revolutionary thinker. He believed that, in his lectures on *Politik,* he was laying the foundations of a new political science. His admiration for Aristotle was unbounded, and to a certain extent his course was modelled on the Politics ; Machiavelli he revered as the first modern writer to understand the true nature of the State, and Rochau as the writer who had made Machiavelli's ideas the starting-point of practical statesmanship. But he maintained that hardly any one before himself had thought clearly about the definition of Liberty, the conception of private property, and the relation of politics to

[1] *Politik,* i. pp. 50-2.
[2] " Der Socialismus und seine Gönner (1874) " in *Deutsche Kämpfe,* ii. pp. 112-222.

ethics. It is needless to say that his obligations to earlier writers were more extensive than he admitted. He owed much to Savigny, to Herder and to Schleiermacher on the philosophical side, to Gneist and Dahlmann as critics of particular forms of government. His contempt for his predecessors was often due to ignorance. He had paid little attention to English political theory from Hobbes to Austin; he quotes Bentham and Mill, but shows no thorough knowledge of their writings. His criticism of Rousseau is perfunctory; and though he admires certain aspects of the political theory of Kant, he had not grasped it as a whole; the ideal human community, as Kant conceived it, was for Treitschke a meaningless abstraction.

His claims to originality are stated in the introduction to the first volume of the *Politik*; and there is no part of the book which shows more clearly his limitations as a political thinker.

First, he proposes to bring his pupils back to the antique conception of the State, as a being which is infinitely superior to the individual, which exists to realise an ideal beyond and above that of individual happiness. But he desires to limit the authority of State in one respect. It must never interfere with the conscience of the individual. "Man cannot be a mere member of the State." He has an immortal personality; he has the right to think freely about God and divine things.

"Just as art and science recovered truth and greatness by dipping in the youth-giving springs of classical antiquity, we too at the present day must abandon the standpoint of modern society, in order to understand, as antiquity understood it, the importance and sublimity of the State. Any one who wishes to acquire a true political sense must bathe in the invigorating waters of that classical antiquity which produced the great masterpiece of political philosophy —the Politics of Aristotle—in the light of which we all seem mere bunglers. We must start again from the ancient

conception of the State. In doing this we run no danger of falling into the mistake of the ancients,—that of over-estimating the importance of political life. We are secured against that by the changed conditions of our lives, above all by the recognition (which we owe to Christianity) that a man cannot be a mere member of the State, the recognition of the immortal and individual soul in every man, and of man's right to think freely concerning God and divine things. We need not be afraid then that we shall sink back altogether into the ancient mode of thought, and look upon men as only so many citizens ; but we have so much the more to learn from the purely political standpoint adopted by the ancients, which led them in political questions to consider in the first place the matter as a whole, and only in the second place the interests of the individual.

" Political science in the old sense is the science of the State pure and simple, its subject-matter being classified under the headings of national economy and constitutional law. The task of political science is a threefold one. In the first place, it must endeavour, from a consideration of actually-existing states, to discover the fundamental conceptions underlying the State. It must then examine historically the political aims, activities, and achievements of the various nations, as well as the reason why they have achieved what they have achieved ; and in the course of this it will accomplish the third part of its task, namely, the discovery of certain historical laws and the establishment of certain moral imperatives. Considered in this way, Political Science is applied History, and this fact sufficiently explains why it lags so far behind other sciences at the present day. On the one hand, the descriptive historian shows little inclination to set up a system, and, on the other hand, among jurists and philosophers the historical sense has penetrated very slowly. It is for this reason that any such exposition of Political Science as would in some measure correspond to the demands of the historian, is absolutely lacking at the present day. The best of those

that do exist is Dahlmann's *Politik*, which, however, is more than fifty years out of date. But the proper systematic study of Political Science, such as was perhaps contemplated by Bluntschli, is still hampered by the consequences of the old doctrine of natural right." [1]

In other words the Aristotelean doctrine of the State must be tempered with the root idea of Protestantism. But how in practice are Greek and Protestant ideas to be reconciled? Who is to define the proper sphere of religion? The problem was one which Treitschke had encountered in practical politics. He himself had written in defence of the May Laws, by which Bismarck regulated the education of Roman Catholic priests, and deprived them of the power to inspect elementary schools. But Treitschke's solution of the problem is superficial and contains a glaring inconsistency. He proposes to define religion in the Protestant sense, as a personal relation of the soul with God. He admits that to most minds religion means membership of an organised Church, founded upon principles radically different from those of the State. He sees the impossibility of a complete and lasting concord between Church and State. He agrees that both are vitally interested in such questions as the law of marriage and the national system of education. None the less he contends that the Church is bound to obey unreservedly the laws which the State sees fit to make. Further, he is of opinion that, while the State may tolerate such religious differences as those which separate one Christian confession from another, the unity of the State is impossible when its subjects are divided between radically different religions. Spain could not have remained a single state if Moors and Christians had lived side by side all over the peninsula. The State is purely secular; but it has the right to enforce a certain measure of religious unity.

[1] *Politik*, i. pp. 1-3.

" There never has been a nation without a religion, and there never will be. We are a Christian nation; for the Jewish element in our population is too small to be of importance. Without community of religion the consciousness of national unity is impossible, for religious feeling is one of the primitive instincts of human nature. It was Jewish presumption which first undermined this truth, when by a conjuring trick it displaced religion by denomination. Denominational differences may, of course, be tolerated by a great nation, though not without considerable difficulty. (How much blood have they cost us in Germany !) On the other hand, the coexistence within one nation of several religions, involving totally opposed conceptions of the universe, becomes unendurable for any length of time; and can only occur in a stage of transition. Spain was not a nation until Christianity had triumphed and had thrust the followers of the other faith into the background. Our State is the State of a Christian people, and therefore in its civil administration it assumes the Christian religion to be the national religion.

" In spite of this, however, we must not talk of a Christian State. The State is by its nature a secular institution. It must administer justice to its subjects without consideration for religion or denomination. There is no longer any question of an established State religion, and for good reason. If there were a State religion, if the State were to assume a spiritual responsibility, it could not be just towards adherents of other religious denominations. The designation, ' Christian State,' can only cause confusion, since it gives rise to the mistaken idea that the State is founded on the Church; and it is rendered further inapplicable by the fact that there is no longer a universal Christianity, but only Christian denominations. It would therefore be necessary to go further still, and to demand that the State should set up one particular denomination as the State religion.

" And yet the State and the Church are most intimately

connected, since both, after all, are educational establishments for the human race. Our whole moral culture in Germany is based on a threefold inheritance of thought: first of all, the early Hebrew-Christian ideas, the essence of which was self-denial; secondly, the ancient conception of morality, which embodied the idea of self-control; and, finally, the old Germanic conception, which contained, in addition to the idea of self-control, a very delicate sense of honour. We cannot take away any of these elements without ceasing to be the Germans that we are." [1]

But, if this is so, can Treitschke seriously maintain that the State will still be in the position of recognising the sovereign claims of the individual conscience? The ultimate obligation of the State becomes a bare duty not to enquire about the faith of the individual so long as he refrains from expressing his faith in action. As soon as individuals form an organisation, worship in public, teach and preach, they become subject to State censorship.

Secondly, Treitschke proposes to reconstruct political science upon historical principles.[2] The historical method starts from observation of the States which exist or have existed in the world; in classifying States, in formulating the ideal of each several type, in judging the worth of a constitution or a principle of legislation, it is guided by experience, not by *a priori* reasoning. But the historical method is more than this. It starts from the assumption that every nation must make for itself a special code of morality and a special form of government; both the one and the other must be a natural development of the national character. There is no such thing as a universal moral law or an ideally best constitution. These conceptions are founded on the doctrine that all States and all human beings must conform to the Law of Nature (*Naturrechtslehre*).

[1] *Politik*, i. pp. 326-8.

[2] In his *Deutsche Geschichte*, Bk. iv. § 7, Treitschke gives Dahlmann, his old master, the credit of being the pioneer of this method, but says that he did not carry it out systematically.

This doctrine of nationalism is not peculiar to Treitschke ; it is much older than his time. It was the product of Romanticism and it had been developed on the ethical side by Herder, on the political side by Savigny. Further, it is a doctrine which calls for careful exposition. There is no form of State which would be the best for every nation. That is a truth of which Aristotle was perfectly aware, and which no political thinker of the first rank has disputed since the time of Aristotle. But there are general principles of political morality to which every State must conform if it wishes to preserve its existence and prosperity ; *Naturrecht*, in this sense, is presupposed by every treatise on political science. Without such a *Naturrecht* there would be no possibility of making any general judgment on a particular constitution ; we could not even say that it was well or ill adapted for its purpose, unless we had some general principles by which to test it. In the same way, so long as nations have a common human nature, they must have in common a large stock of moral principles. For morality is founded upon the common characteristics of human nature ; it is a set of rules for the right development of the potentialities which exist in human beings as such. When we say that every nation has its own type of moral excellence, we do not mean that it has virtues which no other nation possesses, or that it approves of conduct which every other nation reprobates. We only mean that some of the common virtues of humanity are more highly prized in one nation than another ; that certain types of human activity are more useful in this place than in that. The scientific mind is more highly valued in Germany than it is in England ; this does not mean that the Englishman regards the scientist as useless or pernicious. The French value courtesy more highly than we do ; but still we regard courtesy as a good quality.

Treitschke finds that the nationalist theory involves him in considerable difficulties when he turns to discuss the nature of progress. In what sense is it true that a nation, or a society of nations, progresses ? This progress must

be relative to some ideal standard of political or ethical development. If there is no such standard, then we ought to speak not of progress but of change. Early in his career he had been converted by Gervinus to the view that there is a visible progress in European society. But in the *Politik* he hardly knows how to justify his conviction. He confesses that he has no intellectual proof of progress :—

"The theoretical morality of the human race becomes more refined in the course of history. We condemn at the present day much that was formerly held to be permissible ; but this abstract recognition does not help to bring about any practical advance, any subjective improvement in the individual. For men are governed not by their intelligence, but by their will, to which the intelligence is subservient. It is impossible therefore to take the intelligence as a measure of man's moral progress. Moreover, other spiritual faculties in addition to the moral faculties—for instance, the imagination and the memory, very important factors indirectly connected with the intellect—are actually weakened by civilisation. It is true of the life of nations as it is true of human nature, that no new strength can be added to it without a compensating loss on some other side. Plato himself said that the discovery of the art of writing was a misfortune to the human race, that the imagination and the memory had suffered seriously in consequence. This is clearly true. And this misfortune has still further been augmented by the discovery of the art of printing and other similar discoveries, which we superficially regard as blessings. For certain faculties of the human soul there is a *ne plus ultra* which has in many cases already been reached. The art of sculpture reached its *ne plus ultra* in the days of Phidias. Human history progresses not in a straight line but in a spiral. Great advantages are purchased at the cost of great losses. But the notion that progress consists in an increase in the comfort of man's material existence is such a base and vulgar error that it is hardly necessary to refute it. The validity

of any conception of human progress is not capable of proof by a process of abstract reasoning; any more than the existence of God or the validity of an optimistic or a pessimistic conception of the universe can be proved by abstract reasoning. Here conscience has the last word. The craving of the individual conscience for individual perfection leads to the conviction that humanity as a whole experiences the same craving for perfection. And this proof, arrived at by practical reasoning, is the only one of any importance." [1]

§ 3. *Definition, Aims, and Structure of the State*

Treitschke defines the State in the first instance as a People (*Volk*) united by legal ties to form an independent power; and defines (like Aristotle) the *Volk* as a group of families who are permanently united together. Far from being artificial, the State is a form of community which exists from the earliest days of human history. The conception of the State comes naturally to the human mind, while the conception of Humanity arises comparatively late:—

"The supposition that the human race at its origin had the sense of being one whole is the opposite of the truth. The human race at its origin cannot be conceived of otherwise than as divided into separate little groups, that is to say, into small States of a primitive type. In the days of classical antiquity every people looked upon itself as the chosen people. The notion of the unity of the whole human race was conceived only by a few solitary thinkers; and it was not until the appearance of Christianity that it became general. Even at the present day it is acquired only as a result of instruction and education. There is no doubt that at the present day a man thinks of himself in the first place as a German or a Frenchman, or whatever his nationality may be, and only in the second place as a member of the whole human race. History demonstrates this on every

[1] *Politik*, i. pp. 10-11.

page. It is therefore untrue both physiologically and historically that human beings came into existence in the first place merely as members of the human race, and subsequently became members of a particular nation. It was only through the teaching of Christianity that it was brought home to the individual that he must look upon all his fellowmen as brothers. In the same way men differ from each other from the beginning as regards their physical peculiarities ; they resemble one another only in so far as they are all human beings and all made in the image of God. They are entirely different from one another as regards the material conditions of their lives. This becomes apparent if we consider that one individual human being is a different person at different stages of his life. A grown man thinks differently and takes up a different point of view from a boy. If we pursue this thought further, it acts exactly like a rat-poison on the theories of the radicals, who talk of a natural equality among all human beings. Rather the supposition of the essential inequality of all human beings forms the foundation of all political reasoning. Only in this way can we explain the fact that some groups are found in subordination to other groups." [1]

It is of the essence of the State that it should be a permanent institution ; for it is by reason of its permanence that the State commands the loyalty of the individual. No one would fight for the State, no one would sacrifice himself for the State, unless he thought of it as more enduring than himself :

" Modern wars are not waged for the sake of goods and chattels. What is at stake is the sublime moral good of national honour, which has something in the nature of unconditional sanctity, and compels the individual to sacrifice himself for it. This is a good beyond all price, and cannot be valued in thalers and groschen. Kant says :

[1] *Politik*, i. 18-19.

' If a thing has a price, something else can be substituted as an equivalent for it ; what is above all price, that for which no equivalent is admissible, that has moral worth.' The sense of participating in the activity of the State, of standing upon the achievements of our forefathers, of transmitting these achievements to our posterity, that is what is meant by a living consciousness of citizenship." [1]

Treitschke is prepared to think of the State as a person, in the moral as well as in the legal sense. In his eyes, history is a great drama, and States are the actors in it. States, like individuals, have permanent characteristics, have, in fact, a character. For example, from time immemorial the German nation has been remarkable for exuberant individualism and insubordination ; such characteristics called for a strong central power, a power armed to the teeth ; and the German Empire would cease to be what it is and has been if it laid down its arms. The State is a person ; but we are not to think of it as an organism. The analogy of the organism is scientifically inexact, and it leads to a fatalistic view of politics which is most dangerous. " Prattle about the organic development of the State has often enough served as a bed of idleness. Those who are unwilling to have a will of their own content themselves with the phrase : ' All that must be left to develop organically.' " [2]

If a State is a person, it follows that the existence of any one State implies the existence of other States with which it entertains relations. For no person can exist, or come into existence, in a state of isolation. This is as true of corporate persons as it is of individuals. A State attains to self-realisation by friendly intercourse, and also by conflict with its fellows. Hence the ideal of a World-State, embracing all humanity, is not a true ideal ; such a State would be repulsive and unnatural. " It would be impossible to realise all that is meant by civilisation in any single State. . . . The rays of divine light reveal themselves in a broken

[1] *Politik*, i. pp. 24-5. [2] *Ibid.* p. 28.

form in different peoples, each of whom manifests a new shape and a new conception of the Godhead." [1]

This is the classical apology for a system of national States; and it constitutes a strong argument in favour of any evolution which helps a "nation" to achieve political unity and political independence. But the ordinary advocate of nationalism supposes that, in a system of truly national States, wars would become less frequent; that friendly competition and friendly co-operation in the furtherance of common ideals would take the place of the old immoral strife between armed States. Treitschke, however, regards warfare as a necessary and beneficial activity of the State; and he utterly rejects the teaching of Aristotle, that war is but a necessary evil, a means to an end. Not content with affirming that "every nation must fight to keep what it possesses," that the struggle for existence is a permanent feature of civilised life, he goes on to say :—

"In this eternal conflict of separate States lies the beauty of History; the wish to do away with this rivalry is simply unintelligent." [2]

We postpone for the moment the consideration of the grounds on which he glorifies war. The assumption that war is an essential function of the State leads him on to a new definition: "The State is the public power for defensive and offensive purposes." [3] This does not seem altogether consistent with his original definition of the State as an organised People. It now appears that the State is the organised power which holds the People together and defends it. The State is not to concern itself with every department of social activity; it will not, for example, interfere with private opinions in any direct and inquisitorial fashion. Often the State will assume, in the eyes of the individual, the character of an organisation external to himself, with a will which contradicts and overrides his will. Though

[1] *Politik*, i. p. 29. [2] *Ibid.* p. 30. [3] *Ibid.* p. 32.

spontaneous obedience, based upon reasoned approval of the law, is what the State most desires, the State can exist when the obedience which it receives is merely rendered under compulsion. Nor does the State express the whole of the *volonté générale.* Its interests are narrower than those of the society over which it rules, and there are limits to its power as a moralising agency. This point is brought out sharply in the first of the following extracts. In the second, which relates to the theory of punishment, it will be seen that he regards the act of punishment as a moral act, but repudiates the idea that the State should be guided, in its punishments, by the desire to reform the criminal :—

" We shall not, as Hegel did, declare the State to represent the national life pure and simple. Hegel looks upon the State as the embodiment of a moral idea, capable of achieving whatever it may desire. But the State, as we have seen, does not stand for the whole life of the nation. Its function is merely protective and administrative. In the days when Hegel's philosophy enjoyed its highest repute, a number of ingenious men endeavoured to prove that the State must ultimately swallow up everything, like the Leviathan. At the present day a man would need to hoodwink himself into believing this. No Christian can live for the State alone, because he cannot abandon his divine vocation. The theory developed by Richard Rothes, in his study of the origins of the Christian Church, that the State will at some future date take over altogether the civilising functions of the Church and in the end become entirely merged in the Church, was a mere folly of youth. That cannot and will not ever come to pass, and no one can seriously wish that it should. The State can only influence by external compulsion ; it only represents the nation from the point of view of power. Even that implies a great deal. For in the State it is not only the great primitive forces of human nature that come into play ; the State is the basis of all national life. Briefly it may be affirmed that a State which

is not capable of forming and maintaining an external organisation of its civilising activities deserves to perish." [1]

"If we consider in the first place the nature of punishment, we see that punishment ought not to be looked upon as a revenge. The criminal is not punished in order that he may suffer; he must suffer in order that he may be punished. The transgressions of a single individual cannot disturb the majesty of the State, and it cannot therefore be a question of the State taking revenge. This theory has, in fact, been entirely abandoned at the present day, on account of its utter absurdity. Another school of sentimentalists, who apply to the State the Christian theory that it is wrong to do an injury to one's neighbour, even to a malicious neighbour, are brought to the conclusion that punishment is self-defence on the part of the State against attacks on human society. From this weak-kneed theory was developed our modern criminal law, notably at the instigation of Lasker, who set forth this point of view with an eloquence worthy of a better cause. Yet the absurdity of this theory is at once apparent. What is self-defence? The need for self-defence arises when some outside oppression compels its victim to commit for the sake of his own preservation an action in itself reprehensible. What an idea! As if the majesty of the State could be conceived as so embarrassed by the criminal as to be obliged in self-defence to do him an injustice, for instance to cut off his head, without any absolute right to do this. What a confusion of ideas! All the majesty and all the moral earnestness of the administration of justice is here lost sight of. This is what happens to philanthropy when it gets its head in the clouds. Such a theory as this does not allow of serious discussion.

"There is not much to be said for two other theories, which likewise flatter the sentimentality and the mistaken philanthropy of the present age. The notion of punishment by the State rests fundamentally on the obligation of the State to protect civil society. But what aim has the State

[1] *Politik*, i. pp. 62-3.

in view in its punishment of individual cases ? Many reply, with Holtzendorff : the reformation of the criminal. As if the State were a shepherd of souls, and must search the hearts of its citizens ! It is in the very nature of the State that it only protects the external order of human society. The State is satisfied to have the external obedience of its subjects ; it is under no compulsion to inquire in what spirit this obedience is rendered. This being so, we cannot ascribe to the State a general obligation to reform its black sheep. Besides, it is obvious that a number of punishments cannot have the effect of reforming the victims—certainly not capital punishment. How can the notion that the aim of punishment is reformation be reconciled with capital punishment ? That the State should utilise its houses of correction to endeavour, through the ministers of the Church, to make an impression upon the hardened hearts of the criminals, that is only natural and in accordance with the Christian ideal ; but it is foolish to try to make out that reformation, which at the most can only be sometimes a secondary end of punishment, is the true end of all punishment.

" There is more to be said in support of the theory which declares intimidation to be the true end of punishment, but whether punishment will actually produce this effect is always a matter of uncertainty. We all know that there are men who are not deterred from crime by the fear of punishment, men who come before the judge for committing crimes which have been punished in others ; but who can tell how many thousands have strangled an impulse to crime merely through fear of the house of correction ? It is very certain that there are numbers of men who are so bestial that only the terrifying prospect of the house of correction can have any effect on them. This intimidating effect of punishment does then undeniably exist ; but, since it is uncertain in its workings, it cannot be the true end of punishment. Even in cases in which the State knows quite well that a punishment will not have a deterrent effect, it must inflict it just the same.

"This brings us to the conclusion that the absolute theory of punishment, regarded with such supreme contempt by all the enlightened people of to-day, is in reality the only just theory. In regard to this, Hegel hit the nail on the head. Our very German language, which makes it possible for the ordinary man to say, 'Punishment has to be' (*Strafe muss sein*), has long ago accepted this as a fact. The necessity for punishment follows directly from the fact that order is essential to the nature of the State; and, if the State is under an obligation to preserve order in the nation, it must keep crime within limits, and any disturbance to the order of the State must be compensated and atoned for by punishment. The criminal must be compelled, even against his will, to recognise the moral majesty of the State. Ihering pronounces this view of the nature of punishment to be a learned whim. But is not the doctrine of intimidation a mere theory, whereas the idea, 'Punishment has to be,' is deeply implanted in the conscience of every man? Punishment contains its purpose in itself, namely, atonement for a breach of the law. It may at the same time serve the end of reform and of intimidation, and, if it does, so much the better for the State; but this does not happen, and ought not to happen, by any means invariably." [1]

It might seem from these quotations that the State of Treitschke exists for nothing but police work and military work, that it is bare force applied to the simplest and most obvious of political objects. It would however be strange if so earnest an admirer of Aristotle entirely ignored the moralising functions of the State, and Treitschke is not open to this reproach. It is true that, like Thomas Hobbes, he lived in a time and a country where strength seemed to be the attribute most needed by a government. Only a powerful State could disregard the grumblings of that provincial patriotism which was still so deeply rooted in the German character, or could face with equanimity the

[1] *Politik*, ii. pp. 421-4.

international situation created by Bismarck's policy of blood and iron. Whatever else the German State might choose to be and to do, it must store up reserves of force, if it was not to be crushed by external enemies or disintegrated by domestic feuds. But, in Treitschke's mind, the police state (*Rechtstaat*) was only a half-way house on the road to the *Culturstaat* which he hoped to see in Germany.

In discussing the ultimate aim of the State he suggests a new definition which is thoroughly in accord with Aristotle's teaching :—

" The State is a moral community ; it is called upon to make positive efforts for the education of the human race, and its final aim is that a people may shape for themselves a real character in it, and by means of it." [1]

He is perhaps too cursory in his description of the *Culturstaat*. But he has a satisfactory excuse. No state, in the past or in his own time, had taken on itself the mission of fostering culture for a long period of time or with great thoroughness. And he had made it his rule to treat his subject historically, to describe what had been done, not to speculate as to what might be possible. He contents himself therefore with enumerating certain tasks of a civilising kind which one State or another has actually undertaken with some success : works of charity, elementary education, the patronage of the fine arts. In general, he says, there is a tendency in States to widen their sphere of influence as civilisation progresses. But at the same time they exert their influence more and more indirectly, as by controlling education, and with more and more consideration for individual liberty. The modern State gives opportunities for self-development without endeavouring to enlighten man by force ; where it feels obliged to influence opinion it does so by a gentle pressure which is hardly felt.[2]

Finally, he is in some respects an obstinate individualist.

[1] *Politik*, i. p. 81.

[2] *Ibid.* pp. 81-6.

He did not expect the State to create a national commerce or a new intellectual movement. Its business is to organise the exuberant activities of a free people, to repress harmful tendencies, to encourage those which are salutary; to foster, as he puts it, "the really vital energies of the people."[1] It can regulate such energies, he said; it is not so likely to succeed in producing them. The best things in the world are the result of free activity among the citizens of a free state.

On the whole, then, he concludes, it is better to enquire what are the absolutely essential and unavoidable duties of the State, by resigning which it would cease to be a State. These are the maintenance of military power and the administration of justice. *Der Staat ist Macht.* It may be more than this; but this at least it must be. The first aim of the political theorist must be to discover how the State may be made strong.

Some of his dicta concerning the sources of national strength call for no remark. There must be among the citizens a habit of loyal obedience to the State; their energies and thoughts must not be wholly absorbed in such social activities as trade or intellectual studies.[2] The State must have sufficient material resources for self-defence. It must also have an absolute sovereign, who defines his own powers without contradiction. Treitschke is on more debatable ground when he attacks small States, not simply because they are unable to protect their subjects against external enemies, but also on the assumption that they do not produce true patriotism or national pride, and that they are generally (though not invariably) incapable of "culture in great dimensions." All that he has to say on this subject is coloured by his detestation of the German *Kleinstaat.* True, Weimar produced a Goethe and a Schiller; but, he argues, they would have been greater still had they been citizens of a German national State.[3] Finally, he goes out of his way to court opposition by contending that the states-

[1] *Politik*, i. p. 57. [2] *Ibid.* p. 59. [3] *Ibid.* pp. 48-9.

man must accept the aristocratic principle as a law of nature :—

" If we now study more closely this complex system of mutual interdependencies which is termed a civil community, it becomes apparent that every society, by its very nature, produces an aristocracy. The Social Democrats betray the absurdity of their aspirations by their very name. Just as there is implied in a State a distinction between ruler and subject, a distinction which can never be abolished, so there is implied in the very nature of society, once and for all, a difference in the social position and circumstances of its members. To put it briefly, every civil community is a system of classes. A wise legislation can ensure that this class-system does not become oppressive, and that the transit from a lower to a higher class or *vice versa* is made as easy as possible ; but no power in the world will ever be able to bring about the substitution of a new artificial class-system for the natural division into social groups.

" On a closer examination, we see that it is a radical necessity grounded in human nature itself that an immense proportion of the energies of our race should be expended in acquiring the primitive necessities of life. In the case of savages the struggle for a bare existence is the chief occupation of their lives. And so fragile and necessitous is this human race of ours that, even in the better-educated classes, the great majority must always give up their existence to worldly anxieties and toil ; or to use a trite expression : The masses will always remain the masses. There can be no culture without its servants. It is self-evident that if there were no men to perform the menial tasks of life, it would be impossible for the higher culture to exist. We come then to realise that millions toil at the plough, the forge, and the carpenter's bench in order that a few thousands may be students or painters or poets.

" This sounds brutal, but it is true, and it will remain true for all time. It will not be altered by any groaning

or complaining. Such complaining indeed springs, not from any real human sympathy, but from the materialism and intellectual conceit of the age. It is absolutely wrong to look upon intellectual development as the important thing in history and above all to look upon it as the chief foundation of human happiness. What a monstrous assumption, to maintain that women are less happy than men! Does the scholar merely by virtue of his scholarship rank above the labourer? I for my own part feel none of this learned arrogance, and truly great men have never felt it. I have always felt a deep respect for the homely virtues of the poor. Happiness in this life is not to be attained by cultivation of the mind; it springs from those faculties of the heart which are within the reach of all alike—in the power of love and in a quiet conscience. These are bestowed on small and great alike. As Goethe often asserted: It is by his moral faculties that man is distinguished from other living creatures:

Edel sei der Mensch,
Hilfreich und gut!
Denn das allein
Unterscheidet ihn
Von allen Wesen,
Die wir kennen;[1]

and on another occasion he remarks tersely: 'The important thing is not that we should have grand ideas.'

"It is just in these class-distinctions that I can best illustrate the moral wealth of the human race. In addition to the virtues of the rich, there are the virtues of the poor, with which we should not and cannot dispense, and which by their rough strength and sincerity put to shame the man of higher refinement who shows such a tendency to become *blasé*. There is, moreover, a healthy joy in sheer existence which is only possible in the simple and natural conditions of human society. Here we see a compensating advantage

[1] Let a man be noble and charitable and good, for that alone distinguishes him from all other creatures that we know of.

in what appears such a ruthless class-system. The notion of poverty is relative. It is the duty of the State to keep poverty within limits and to make it endurable ; but to expel it from the universe altogether is neither possible nor desirable. The niggardliness of nature has imposed certain definite limits on the human race, and yet so great is man's joy in existence that, if there be only space for more human beings, in a healthy nation those human beings will certainly be born." [1]

It might be supposed that he is here referring more particularly to the economic structure of society, and vindicating the social utility of a class endowed with capital, and therefore with the opportunities of assimilating culture. But he is also an advocate of aristocratic government. He finds the secret of the greatness of England in the complete control of local government and of parliament by the great landowning families. He rejoices that in Germany also there is an aristocracy which interests itself in politics. Such an aristocracy ought to be constantly recruited from below ; but it ought also to be a hereditary order :—

" If we look nearer home, we see that in Germany also the upper ranks of the nobility are in the highest degree political. In a certain sense it may be said that no nation in the world has such an illustrious nobility as Germany. Since we have been an empire, the German princes have naturally become only a higher rank of the nobility. Such a nobility as this need fear no comparisons. The lower ranks of the nobility, in so far as they count for anything at all, are monarchical. It is for this reason that the Prussian nobility has such a high moral standing. The despised Prussian Junkers contribute, as a matter of fact, the finest elements of the German nobility, as any one knows who is a native of the small German States. In Prussia the Junkers had to learn long ago to be subjects, whose chief

[1] *Politik*, i. pp. 50-2.

glory was to serve the crown. They had first to be humiliated by the monarchy; but subsequently they became reconciled to it. The minor nobility of Saxony and Bavaria, on the contrary, have always had something parasitic in their nature; their ambition is to raise themselves up by means of the court, like the aristocracy of the French court." [1]

"The old families of the lower nobility of the present day are almost exclusively descended from an un-free class; for the original German nobility has either died out or else risen into the ranks of the higher nobility. The ancestors of the minor nobility have been almost exclusively serfs (*Ministerialen*), who by their political activity have raised themselves above the ranks of the ordinary freemen, until they have gradually acquired a greater nobility and distinction than the rest of their class. Many of the good aristocratic surnames, like *Butler*, *Truchsess* (Steward), *Schenk* (Cup-bearer), bear witness to this origin. We are constantly coming across a similar phenomenon at the present day. Our modern aristocracy is recruited by additions from middle-class families who have distinguished themselves in the service of the State. That is a natural process, and there is nothing to find fault with in it, provided that it does not give rise to arrogance and folly. Out of the nobility there rises up that vague notion of what we call a ruling class. An order of aristocrats arises; the members of it habitually devote themselves to the civil and administration of the State. We are a nation with monarchical traditions. Our titles and decorations are very expressive of this. With us the important thing is to occupy a position in the State, whether it be real or only apparent. If a man cannot be a councillor of State, he will at least aim at being a member of a Chamber of Commerce. In England we find a purely aristocratic ambition; in Germany, an ambition to serve the monarchy as a State official. In any case tradition must have an influence on the government of the

[1] *Politik*, i. pp. 309-10.

State. Our ruling classes must spring from the great families, who have handed down to their children certain notions of honour and shame. The government has a great inherited wealth of traditional notions of honour and morality. The essential thing in governing is not knowledge, but the power to rule, a power connected with self-control, a power which, through education, may become a second nature." [1]

All this comes naturally enough from a professor in the University of Berlin. But one cannot help remembering how, in the outer darkness of Freiburg, Treitschke had vituperated the Prussian Junkers, of whom he became the apologist in his old age. It is not surprising that his new predilection for a ruling class should lead him to desire a well-drilled population for his State, and a set of statesmen who are more distinguished by strength of will than by flexibility of intellect :—

" The State declares : ' It is quite indifferent to me what your feelings may be in the matter, but obey you must.' That is the reason why fragile natures find it so difficult to understand political life ; of women it may be said that generally speaking they only get what understanding they have of law and politics from their husbands, in the same way as the normal man has no instinctive comprehension of the details of domestic life. That is perfectly natural, for the theory of Power, in which the first and highest obligation is push forward with one's purpose completely and unconditionally, is a hard one. Hence the great nations are not those who are specially endowed with genius, but those whose strength lies in their character. The history of the world in this respect reveals to the thoughtful student a terrible justice. The sentimentalist may shed tears, but the earnest thinker will recognise that it was inevitable that the highly cultured Athenians should have been in subjection to the Spartans, the Hellenes to the

[1] *Politik*, i. pp. 310-11.

Romans, and in the same way that Florence for all her refinement and culture could not hold her own in the struggle with Venice. In all this there lies an inward necessity. The State is no academy of the Fine Arts. If the State neglects its own essential power in favour of the ideal aspirations of humanity, it is false to its own nature and brings about its own downfall. Such a renunciation of its own power is on the part of the State nothing less than the sin against the Holy Ghost; to attach itself to a foreign State out of sheer sentimentality, as we Germans have often attached ourselves to England, is really a deadly sin.

"We see therefore that the influence of ideas in the State is of only limited importance. The influence of ideas is very great, but ideas alone do not promote political progress. An idea must have some important practical bearing on the everyday life of the nation, if it is to play an important part in political life. It was not the ideas of the French philosophers which overturned the *Ancien Régime*, but the fact that they did actually describe existing class-conditions. The result was that the old social structure was destroyed, and there came into existence a middle class, with the consequent disappearance of the old class-distinctions; and in bringing this about the notions of equality of the philosophers did certainly play a part. There is no doubt that the true founders of the German Empire were the Emperor William and Bismarck, and not Fichte, Paul Pfizer, or any other pioneers. The great political thinkers have their share of glory; but it is the men of action, not they, who are the true heroes of history. In order to exert an influence on political life the prime necessity is strength of will. And so a large proportion of the men who have founded States have not possessed remarkable genius. The greatest gift of the Emperor William was not his genius, but his calm strength of will—a gift which is far more rare than people commonly realise. This force of character was his great strength." [1]

[1] *Politik*, i. pp. 33-5.

Treitschke was preaching this doctrine to a Germany which had become familiar with the idea of universal suffrage ; but he was clear that, so far as the effects of universal suffrage were predictable, they would be injurious to sound government. Where all men have the vote, the demagogue finds his opportunity and the natural leaders of society are likely to retire from a degrading competition for popular favour. The best that can be said of universal suffrage is that it need not be wholly incompatible with an aristocratic government. For good or for evil the masses are prone to accept the guidance of the classes :—

" The democratic character of our century has given rise to the theory that the active right to vote is a universal human right. As a matter of fact, the right to vote is not an individual right, but rather a civic obligation, to be exercised for the good of the community and the welfare of the State ; and consequently the question, Who is to vote ? must be a matter to be decided by the State. The indiscriminate extension of this right is an absurdity ; it is a sin against the primary truth expressed by Aristotle, that it is the greatest injustice to try to make unequal things equal. It has, in fact, only one advantage : that it is calculated to cure the political madness of the extreme radicals by a kind of homoeopathy. It would be possible now to reply to the most insensate radicalism : ' Very well, then, Vote ! all of you, without discrimination, and get together a majority if you can ! '

" This, however, is the only useful characteristic of universal suffrage. Apart from this, its results have been that the powers of stupidity, superstition, malice, and lying, the powers of vulgar selfish interests and of turbid human passions, play a disproportionate part in the life of the State, and consequently infuse into it an element of uncertainty. For it is manifestly false to assume that universal suffrage will always work in the direction of radicalism. It would be more correct to say that its effects are incalcul-

able. It depends entirely on the social conditions of a province which social power benefits by universal suffrage. The suffrage will benefit the Roman Catholic Church, or the great landowners, or the manufacturers, according to which of these is really the most powerful. In our eastern provinces, where there is an important landowning class, the suffrage operates on the lines of ancient feudalism. It goes without saying that the peasants vote in the same way as their lord. The lord leads hundreds of his labourers to the ballot-box, and gives them the word of command. This must inevitably happen, because it corresponds with the actual distribution of power. In manufacturing districts, on the other hand, where a great rancour against the landowners has been fostered, no such social influence will come into play. In these districts the most frenzied radicalism will be let loose. Any one, however, who imagines that the external mechanism of the vote is capable of producing any genuine freedom is a radical theorist. On the contrary, it must be clear that it conduces to the weakening of parliament. In this chaos of ecclesiastical, economic, and political groups it is impossible for any one group to retain a majority and to exercise a decisive influence on the Government.

" A certain superficial consolation for the poor and the oppressed may result from universal suffrage ; and, in any case, when once it has been granted, it is almost impossible to take it back. To do so would be to rouse such feelings of mortification and indignation among the masses that the disadvantages of the present state of things seem trifling in comparison. The indiscriminate extension of the suffrage is fatal in its effects, less as regards the immediate result of the vote than as regards the whole character of political life. Where the masses vote, powerful lungs will play an important part, and the peculiarly violent tone, the vulgarising and brutalising of public life, which has become prevalent at the present day, can no longer be disregarded. That is a necessary consequence ; but, unfortunately, it

reacts on the whole life of the people. If the elections have accustomed men to violent abuse and lying, this will be reflected in their everyday life. Moreover, the danger is growing that the upper classes, the really cultured classes, will gradually withdraw themselves from a political life which is assuming such forms." [1]

§ 4. *The Individual and the State*

Like every political thinker, Treitschke finds himself involved in difficulties when he raises the question: Is resistance to the State ever justifiable? He states categorically that a revolution, and a forcible revolution, is justifiable when the institutions of the State no longer correspond to the grouping of social forces, and when it is impossible to effect the necessary changes by peaceful legislation. When the strongest party in the State is not allowed to assert itself under the existing constitution, it is entitled to overthrow that constitution. In a sense every revolution is evil since it disturbs public order; but it may be the smaller of two alternative evils. This situation may arise in any State; and so revolutions are part of the natural order of things. They are justified or condemned by their ultimate results; in themselves they are neither good nor evil.[2] On the other hand, when he discusses, in a later section, the rights of the individual citizen, he concludes that there is no right of resisting the executive, even when it seems to be exceeding its lawful powers :—

" There can be no question of a positive right of resistance, and it is not to be found in any modern constitution. Not even the Norwegians and the Roumanians have adopted this position. Yet some limitations must be imposed upon the freewill of those in authority, and so we get the doctrine of so-called constitutional obedience, of which we can say

[1] *Politik*, ii. pp. 179-81. [2] *Ibid.* i. pp. 131-6.

that it is so firmly implanted in the average Liberal of the present day that he would be amazed to hear it questioned. The doctrine is as follows : If the government issues a decree which is contrary to the constitution, that is to be considered as an act of tyranny ; and must therefore be resisted by every subject. Most people accept this doctrine without questioning. I did so myself when I was a young professor. In the days of the German Confederation we were all Radicals, and at that time I believed like the rest that resistance to unconstitutional measures on the part of the government was an understood thing. Then I went one day to see the friend who was almost a father to me, Albrecht, the Professor of Jurisprudence in Leipzig. He was one of the Seven Professors of Göttingen,[1] and had forfeited his income and made great sacrifices ; but when I frankly told him my views, he said, 'Oh ! my dear young friend, if you will only consider the matter, you will see that your argument is nothing but a *petitio principii*.' And yet he had himself exercised this right in practice.

" Nevertheless, I had to confess to myself that he rejected this theory on good grounds. The major principle of the argument is of course correct, namely, that if a government issues an unconstitutional decree it has committed an act of despotism ; but to conclude from this that every individual ought to resist such a decree is evidently inadmissible, for it does not follow logically. The middle term of the argument is missing. Who, then, is to decide whether a decree is constitutional or not ? If this doctrine of the right of resistance is admitted, it follows from it, both theoretically and practically, that the conscience of every single subject is set in authority over the government. This is to turn the pyramid of the State upside down, and to place the subject in the position of ruler.

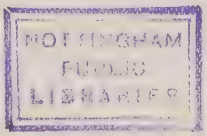
" It is clear, then, that this doctrine is radically unsound ;

[1] Who lost their professorships because they made a protest when King Ernest Augustus annulled the Hanoverian Constitution (1837). The seven were Dahlmann, Jacob, W. Grimm, Gervinus, Ewald, W. Weber, C. Albrecht.

and this has been recognised in all the practical legislation of the nineteenth century. Ever since the fatal experience of its effects in France, men have ceased to admit a positive right of resistance. The constitution of the National Convention includes the following clause : ' If the government should infringe the rights of the people rebellion is a most sacred right and a most binding duty incumbent on the whole nation and on every member of the nation.' Thus every single individual of thirty millions of Frenchmen had assigned to him the function of judging whether the government had violated the rights of the people. This constitution, however, only lasted three weeks, and then came the practical lesson of the civil war, the war of all against all." [1]

It is hard to see how this can be reconciled with the doctrine that revolutions are admissible. For, if the individual never resisted the executive, there could be no revolutions. Treitschke attempts to mediate between the two apparently incompatible positions. " The power of the rulers is based upon the consent of the ruled " ; when the rule of a government is permanently hostile to the welfare of the people, then we must apply the rule *Salus populi suprema lex.* The greatness of Germany has been achieved through the perception of this rule. There are considerations which take precedence even of the duty of maintaining public order. Only it is never possible to justify rebellion upon legal grounds, though it may be justified historically, by its results. The upshot seems to be that it is right for the majority, or at all events for the stronger party, to do what it is wrong for the individual to attempt. Treitschke speaks with confidence ; but he does not solve a riddle which has vexed clearer intellects than his.

[1] *Politik*, i. pp. 195-7.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CHAPTER VIII

"DIE POLITIK"—(II.) THE RELATIONS OF STATE WITH STATE

§ 1. *War*

THE English view of war has, on the whole, been that which is expressed by Carlyle in a memorable passage of his *Frederick the Great*:—

"Wars are not memorable, however big they may have been, whatever rages and miseries they may have occasioned, or however many hundreds of thousands they have been the death of, except when they have something of World-History in them withal. If they are found to have been the travail-throes of great or considerable changes, which continue permanent in the world, men of some curiosity cannot but enquire into them, keep memory of them. But if they were travail-throes that had no birth, who of mortals would remember them? Unless, perhaps, the feats of prowess, virtue, valour and endurance they might accidentally give rise to, were very great indeed. . . . Wars, otherwise, are mere futile transitory dust-whirlwinds stilled in blood; extensive fits of human insanity, such as we know are too apt to break out." [1]

The praise of war for its own sake, as a school of patriotism, and as a test of national ideals, is seldom to be found

[1] *Frederick the Great*, Bk. XII. c. xi.

in English literature. Tennyson, it is true, found in the Crimean War the occasion for some stirring lines :—

> And hail once more to the banner of battle unroll'd !
> Tho' many a light shall darken, and many shall weep
> For those that are crushed in the clash of jarring claims,
> Yet God's just wrath shall be wreak'd on a giant liar ;
> And many a darkness into the light shall leap,
> And shine in the sudden making of splendid names,
> And noble thought be freer under the sun,
> And the heart of a people beat with one desire.[1]

But Tennyson believed that the war from which he expected so much was to be waged in the cause of a moral principle ; and it is wars of this kind that he approves as a moral medicine.

Very different is the attitude of Treitschke towards war. He is inclined to welcome war, so long as it is waged to secure some national interest, to treat it as essentially a wholesome and elevating occupation. Needless to say, he only expressed, on this subject, theories which were already fashionable among his countrymen, and which had dominated Prussian policy for a hundred years before his time. His personal character was one to which the idea of life as warfare was thoroughly congenial. He was by nature combative, and felt convinced, from his own experience, that opposition and contradiction are needed to call forth the moral and intellectual energies of mankind. He came, too, of a soldier-stock on both sides of his family, and his political career had brought him into close relations with the Prussian military caste. But his conversion to militarism is typical of the change which came over the academic world of Germany after the victories of 1866 and 1870. Men who would have been Liberals at any time between 1815 and 1848 were now carried off their feet by the splendid success, in tangible results, of the very different ideal for which Bismarck stood. German professors now began to learn a new theory of politics, which started from the teaching of the Prussian Clausewitz. War, said Clausewitz,

[1] *Maud : a Monodrama*, Part II. vi. 4.

far from being a recrudescence of barbarous instincts, is the necessary instrument of statesmanship ; war means the execution of a given policy by force—*die gewaltsame Fortsetzung der Politik.*[1]

Treitschke, when he first approaches the subject of war, handles it with more moderation than he afterwards displays. It is one of the two indispensable functions of the State, not necessarily the highest. He does not suggest that every policy must terminate in war. He is clear, however, that war, when it comes, is good. It is always a means, though not the only means, of training citizens to be true patriots :—

" War is political science *par excellence.* Over and over again has it been proved that it is only in war a people becomes in very deed a people. It is only in the common performance of heroic deeds for the sake of the Fatherland that a nation becomes truly and spiritually united. But what the drastic remedy of war can effect from time to time, is effected in everyday life by a free political constitution ; and it is a striking fact that, for the maintenance of this equilibrium of political and social activity, self-government is more important than parliamentary activity. As a result of self-government, the better-class citizens are enlisted in the every-day service of the State. In so far as this is the case, self-government is absolutely invaluable. A system of self-governing communities and self-governing departments unites society, which would otherwise have been consumed by the selfishness of the social round, in common political service." [2]

He then proceeds to show that wars are necessary for several reasons. It is through war that new States (he is thinking of Germany) are created. War alone can settle the quarrels which must arise between independent States

[1] *Politik*, i. p. 72. An adaptation of Clausewitz's own definition, which is *die fortgesetzte Staatspolitik mit andern Mitteln.*

[2] *Ibid.* i. pp. 60-1.

when their aims disagree. War is the sovereign specific against national disunion. War is the school of the manlier virtues :—

" The second important function of the State is warfare. That men have so long refused to recognise this fact proves how emasculated political science has become in the hands of civilians. This sentimental conception vanished in the nineteenth century, after Clausewitz ; but in its place there arose a narrow materialism which, in the fashion of the Manchester School, regarded man as a biped, whose chief vocation was to buy cheap and sell dear. That this point of view is also very much opposed to war is obvious. It is only after the experiences of the last war that we find men beginning to take a sound view of the State and its military strength. If it had not been for war, there would be no States. It is to war that all the States that we know of owe their existence. The protection of its citizens by strength of arms is the first and foremost duty of the State. Therefore wars must continue to the end of history as long as there is a plurality of States. Neither logic nor human nature reveal any probability that it could ever be otherwise, nor indeed is it at all desirable that it should be otherwise. The blind votaries of perpetual peace fall into the error of either mentally isolating the individual State, or else of imagining a World-State, which we have already shown to be an absurdity.

" Since, moreover, it is impossible, as we have seen already, to imagine a higher judge set above the States, which by their very nature are supreme, it is impossible that the necessity for war should be driven out of the world by force of argument. It is a besetting fashion of our time to represent England as specially in favour of peace. But England, as a matter of fact, is always making war. There is scarcely a moment in modern history at which England has not been at war somewhere. It is only by the sword that mankind's achievements in civilisation can be main-

tained in the face of the hostile forces of barbarism and unreason. And, even among civilised nations, war is still the only form of lawsuit by which the claims of States can be asserted. The evidence which is brought forward in these fearful international lawsuits is more convincing than the evidence in any civil lawsuit. How often have we endeavoured to prove theoretically to the smaller States that Prussia must take the command in Germany ; but the really convincing evidence had to be furnished on the battle-fields of Bohemia and the banks of the Main. War acts on the nations as a uniting as well as a dividing principle. It not only brings the nations together in a hostile sense, but through war the nations learn to understand and to respect each other's special characteristics.

" In considering war, we must of course realise that it is not always an ordeal in which God decides the issue. There may be temporary triumphs of this nature, but the lives of nations are counted in centuries. The final judgment upon them can only be discovered by the survey of vast epochs. A State like the Prussian State, the inhabitants of which are by nature more independent and reasonable than the French, might, as a result of temporary enervation, incur the danger of extinction ; but even then it might rally its native virtue and assert its pre-eminence. It must be affirmed emphatically that war is the only cure for a sick nation. The moment that the State proclaims : ' Your State and the existence of your State are now at stake,' selfishness disappears and party-hatred is silenced. The individual must forget the claims of his own ego, and feel himself a member of the whole ; he must recognise how trifling is his life compared with the welfare of the State. In that consists the grandeur of war, that trivial things are entirely lost sight of in the great idea of the State. The power of self-sacrifice for the sake of another is never revealed more splendidly than in war. In such times the chaff is separated from the wheat. Every one who experienced 1870, will understand what Niebuhr said of 1813, that it

was then he felt ' the joy of sharing an emotion with his fellow-citizens, learned and ignorant alike. Any one who had that great experience will remember to the end of his days the wonderful emotion of love and friendliness and strength which filled his heart.'

" It is political idealism that demands war, and it is materialism that rejects war. Is it not a perverted morality that aims at eradicating the heroic spirit from the human race ? The heroes of a nation are the figures that delight and inspire the hearts of youth. In our boyhood and youth we admire most of all those writers whose words sound like the blast of a trumpet. Any one who does not feel this joy in heroism is too cowardly to bear arms for his country. Any reference to Christianity is here out of place. The Bible says expressly that the rulers shall bear the sword, and it says also : ' Greater love hath no man than this, that he lay down his life for his friend.' Those who propound the foolish notion of a universal peace show their ignorance of the international life of the Aryan race. The Aryan nations are above all things brave. They have always been men enough to defend with the sword what they have won with the spirit. As Goethe once said : ' The North Germans have always been more civilised than the South Germans.' [1] Yes, indeed, for only consider the history of the princes of Lower Saxony. They have always fought and defended themselves, and that is the chief thing in history. Goethe's statement is of course prejudiced, but it contains a kernel of truth. Our ancient Empire was great under the Saxon dynasty ; under the Salian and the Swabian dynasties it fell into decay. Thus the heroic spirit, the maintenance of physical strength and moral courage, is essential to a great nation." [2]

In any case—even if wars were to become infrequent—it would still be wise for a State to maintain a citizen-army ;

[1] *Unterhaltungen mit dem Kanzler von Müller.*
[2] *Politik*, vol. i. pp. 72-5.

for the army is a school of character, and character is the foundation of national greatness. In any case the hope of universal peace is chimerical, and the maintenance of a military force is dictated by the instinct of self-preservation :—

" It is an advantage to a nation to have a strong and efficient Army, because the Army is not only designed to serve as an instrument of Foreign Policy. A noble nation with a glorious past may long continue to employ it as a resting weapon, and it forms, too, a training-school for the true manly virtues of a nation, virtues so apt to decay in an age given up to the getting and spending of wealth. True, there are some sensitive and highly-strung artistic natures, which cannot endure a military discipline ; and these people frequently give currency to a perverted view of universal service ; but, in these important questions, we must judge not by exceptional natures, but rather by the old rule : *mens sana in corpore sano.* Physical force is especially important in times like ours. It is a defect of English civilisation that it does not include universal service. The defect is to some extent compensated by the strength of the Fleet ; and, further, the continuous minor wars in the numerous English colonies keep the virile energies of the nation occupied and alert. Indeed, the fact that a high degree of physical robustness does still persist in England is in part the result of this continuous state of warfare in her colonies. The unchivalrousness of the English character, contrasting so remarkably with the simple loyalty of the German, is connected with the fact that in England physical culture is sought not in the exercise of noble arms, but in sports like boxing, swimming, and rowing, sports which have undoubtedly their value, but which obviously tend to encourage a brutal and purely athletic point of view, and the single and superficial ambition of getting a first prize.

" The State is Power, and it is normal and reasonable that a great nation should, by its physical force, embody

and perfect this Power in a well-organised Army. Moreover, we have lived in a war-like age, and the over-fastidious and philanthropic view of this question has receded into the background, so that once more, like Clausewitz, we look upon war as the fulfilment of policy by force. No amount of smoking pipes of peace will bring it about that all the political powers will find themselves of one mind; and, if they are not of one mind, it is only the sword that can decide. Just where, to the superficial observer, war appears as something brutal and inhuman, we have learnt to discern its moral force. That, for the sake of their Fatherland, men should stifle their natural human feelings, that they should murder one another, men who have done each other no wrong, who perhaps even respect one another as gallant enemies—at first sight this seems the revolting side of war; and yet herein consists its grandeur. A man must sacrifice not only his life, but also the profoundly just and natural impulses of the human soul. He must renounce his whole ego for the sake of a great patriotic idea. Therein lies the moral sublimity of war. If we pursue this thought further, we recognise that war, for all its harshness and brutality, is able to form ties of affection between men, and that, in the face of death, all men are brothers. Any one with a knowledge of history realises that to expel war from the universe would be to mutilate human nature. There can be no freedom, unless there be a warlike force, prepared to sacrifice itself for freedom. We must repeat that scholars, in considering this question, are apt to argue from the quiet assumption that the State is merely intended to be an Academy of the Fine Arts and the Sciences. That is one of its functions, but not the most important. If a State neglects its physical in favour of its intellectual energies, it falls into decay.

" Above all, we recognise that greatness, as it is seen in history, depends far more on character than on education, and that the driving forces in history are to be sought in the field where character is formed. Only valiant nations have

any true history. In a nation's hour of trial, the war-like virtues are seen to decide the issue. An old saying justly described war as the *examen rigorosum* of States. It is in war that nations reveal their true strength, not only their physical strength, but also their moral, and, to a certain extent also, their intellectual strength. There is a kernel of truth in the trite and familiar saying that it was the Prussian schoolmaster who won the victory at Königgratz. The strength that a nation has amassed in peace is revealed in war. It is not necessary for an army to be always fighting; the silent work of preparation is continued in time of peace. All that the government of Frederick William I. meant for Prussia was not realised until the days of Frederick the Great, when, all at once, the enormous force which had been accumulating was revealed to the world. The same is true of the year 1866." [1]

When he wrote this passage Treitschke must have forgotten the weighty saying of Aristotle that success in war merely proves that a nation possesses military virtue; and he might well have asked himself whether the modern militarist State might not be open to the criticism which the Greek thinker passed upon the Spartans when he said that "war was their salvation and peace was their undoing, because they did not know how to employ their leisure." It is not easy for a State which is permeated with the military ideal, as Treitschke describes it, to become the *Culturstaat* which he considered the highest form of political development. He seems to think that the struggle for existence and for elbow-room between independent nations must always be so fierce as to be the dominant preoccupation of the statesman; that the citizens will have no other choice but to sacrifice all other concerns and the practice of every other virtue to military efficiency—*et propter vitam vivendi perdere causas.*

But if we adopt his ideal view of war and his extremely

[1] *Politik*, vol. ii. pp. 360-63.

crude view of international relations, it is obvious that the army must be the first consideration of the State, the most important of political institutions. Warfare and military organisation will become subjects of primary interest to the political theorist. Treitschke presses this point and blames his predecessors for regarding war as a rare and abnormal contingency, which need not be seriously considered in dealing with the details of the State's constitution. In his eyes the army is not only the most essential, it may also be the most civilising institution in such a State as the German Empire. He is thinking, of course, of the citizen army based on universal military service :—

" Old-fashioned Political Science made the mistake of considering the Army as only an instrument of diplomacy and assigning to it a subordinate position in the system of the State, under the heading of Foreign Policy. The Army was, in fact, considered merely as an instrument of Foreign Policy. Such a theory can no longer be maintained in this generation of universal military service. At the present day, it is universally felt that the Army is not merely an instrument for purposes of diplomacy, but that the constitution of a State is based on the distribution of arms among the people. For the State is upheld by the organised physical force of the people, which is nothing else than the Army. If the essence of a State is Power—Power both at home and abroad—then the organisation of the Army must be one of the most important questions in regard to the constitution of any State. Whether the State decides to have universal military service, or a feudal militia (*Lehensmiliz*), or conscription with exemption by substitution, determines its inmost character.

" From this fact, namely that the Army is the collective physical Power of a nation, it follows further that the Army is very intimately connected with the idea of the unity of the State. It may, in fact, be said that there is no institution which brings home so directly to the ordinary man the

notion of the unity of the State and of his membership in it, as an Army organised in accordance with the actual status of the nation. Trade, Art, and Science are cosmopolitan ; they pass beyond the limits of the nation. The common participation in the exercise of the vote, or in service in the unpaid magistracies, or on a jury, strengthens the feeling of community in the State ; but parliamentary life has not only the effect of uniting the citizens in a common political work, it also has the effect of splitting them into factions, and of rousing an inevitable hostility between the different parties. Of all political institutions, a really national and organised army is the only one which brings citizens together as citizens. It is only in the Army that they are conscious of being all united as sons of the Fatherland. After the experience that we have had in our modern German Empire, there is not likely to be much more dispute on this head. It has undoubtedly been the German Army that has been the most real and effective bond of national unity, and, most assuredly not, as was once hoped, the German Reichstag. The effect of the latter was rather to rouse once again a mutual hatred and abuse. The Army, on the other hand, has educated us in the direction of national unity." [1]

Finally, there is no danger—so Treitschke thinks—that a nation in which every able-bodied citizen must be a soldier will ever disturb the peace of other nations by schemes of wanton conquest. This generalisation, which is not altogether confirmed by the experience of to-day, he considers abundantly proved from the facts of French history. When the French army was professional, France was a Chauvinist nation ; now all Frenchmen serve, and France is relatively pacific :—

" In Carnot we see the *organisateur de la victoire*, who did for France what King William and Roon were to do later for Prussia. Before his time the French Army was

[1] *Politik*, ii. pp. 355-6.

composed of two elements: in the first place, the utterly demoralised regiments of the old royal army wearing the white coat of the House of Bourbon; and, secondly, the new National Guard of the Revolution. Carnot recognised that these two elements must be blended into one; and out of their combination he formed a body of demi-brigades which was the embryo of the popular army; a democratic army, founded on the principle that any member of it might, with luck, rise to occupy the highest commands; and thus men of talent, like Hoche, did actually rise from the ranks. Afterwards, under the Directory, the main features of the new Army were stereotyped; and the manner in which the idea of universal service was now restricted and perverted had an important significance for the French *bourgeoisie*. The new Conscription Law declared that every Frenchman should be liable for military service, but that a man might purchase exemption from this obligation, on condition of furnishing a substitute (*remplaçant*). This gave rise among the oriental section of the citizen-body to the noble profession of " soul-sellers " (as they were called in our Alsace), who conducted this traffic in human flesh.

" Such an immoral system was bound to re-act upon the character of the Army and of the whole nation, but no system could be better adapted to serve a policy of pure conquest. When Napoleon became a Dictator, he recognised that no army could be more convenient for his purpose. A national army of this type cannot be overthrown, because its losses can always be made good. On the other hand, such an army must lack almost entirely the moral force of a genuine national army, founded on a system of genuine universal service. The mass of the French Army was drawn from the lower classes of the population. The more substantial men could purchase exemption from military service; and the social class which could influence public opinion through the newspapers was only represented in the Army by the officers. Hence, in the Napoleonic era, among the educated classes in France, Chauvinism grew to be an obsession; the enthusiasm

for war and the arrogance of the Parisians passed all bounds. What could be more agreeable than to hear over and over again how those poor devils over the frontiers were getting themselves killed for the sake of the Parisians and for the increase of their glory? Now and then Paris enjoyed a spectacle like one of those triumphal processions of ancient Rome; the long ranks of prisoners of war were led past the column of the Place Vendôme. No wonder that the Parisians continued to exhibit such an eagerness for war! War was not considered as part of a matured policy, but as an end in itself. Already at the present day, we can clearly see the change which a genuine system of military service has produced in the French point of view. In words they are just as vainglorious as before, but their boasting is no longer followed up by any action. Their remarkable enthusiasm for war has really entirely vanished, and for the simple reason that every Frenchman has only one son, and that he trembles for the safety of this ewe-lamb in the event of a war. But when it was permitted to hire a substitute, Napoleon could be confident that public opinion would not stand in the way of his lust for conquest." [1]

It is Prussia, he continues, which, in the face of much ridicule, has familiarised Europe with the system of universal service. Prussia has solved the military problem which all States have to face. Her system has produced soldiers at least as good as those of France; and it has educated the nation. One great merit of the Prussian system is that it implies political freedom and serves as a guarantee of the continuance of that freedom.

"The example of the German national Army has had an irresistible influence on the rest of Europe. All the ridicule formerly lavished on it has been proved in the wrong. It was quite usual for foreigners to refer to the Prussian *Landwehr* and the Prussian *Kinderheer* with a contemptuous

[1] *Politik*, ii. pp. 392-3.

shrug of the shoulders. What a difference now! It has been clearly proved that, in war, moral factors count for more than technical training; and it has also been proved that the greater degree of technical experience acquired in the barracks is invariably accompanied by a moral brutalisation. The old French sergeants did not, as the French had anticipated, prove themselves superior to the German troops. It must now be admitted that the problem of educating and really turning to account the forces of the nation for military purposes has been seriously taken in hand for the first time by Germany. We possess in our Army a characteristic and necessary sequel to school education. For many, it is the very best form of education. The drill, the enforced cleanliness, and the discipline are absolutely invaluable to these men in an age like ours, which unchains all the spirits of evil. Carlyle prophesied that the Prussian theory of military service would convert the world. And, in fact, since the Prussian military organisation emerged so triumphantly from the test of 1866 and 1870, almost all the other great States on the Continent have tried to imitate it.

" Yet, because the Prussian army-system is actually the nation in arms, and therefore gives expression to the peculiar distinctions and subtleties of the national character, foreigners do not find this imitation as easy as they had anticipated. The organisation of this system demands in the first place, as its very foundation, that the nation should have a certain measure of political freedom; it demands a state of satisfaction with the existing government; and it demands a free system of local administration. Yet another essential is that natural respect for higher culture without which the institution of the one-year volunteers could not have been thought of. This institution makes service with the Army morally and economically possible for the more highly cultured classes. In France, this volunteer system is restricted by the demand for a superficial 'Égalité'; and therefore, in France, the system has proved a failure.

In Germany, however, it is almost indispensable. Quite apart from the consideration that the number of our regular officers is not nearly sufficient to meet the demands of a war, these young men of high culture who, after their one-year voluntary service, become officers in the Reserve and the Landwehr, and who in many respects are nearer to the people than the corps of regular officers, form the natural connecting link between the latter and the men in the ranks." [1]

§ 2. *International Law; Treaties; Foreign Policy*

The State is subject to no human superior; if it loses independence it ceases to be a State. Hence there is no law to which a State is subject; for laws are made by a sovereign who can enforce them. There is then no such thing as international law. True that States make treaties which are analogous to contracts. But treaties last only so long as it suits the contracting States to observe them. No efficient tribunal has been or can be devised to adjudicate between independent States. The only law which binds them is the law of their own interest.

" Every State will for its own sake limit its sovereignty to a certain extent by means of treaties. When States conclude agreements with one another, they do to some extent restrict their powers. But this does not really alter the case, for every treaty is a voluntary self-limitation of an individual power, and all international treaties contain the proviso: *rebus sic stantibus*. One State cannot hamper the exercise of its free will in the future by an obligation to another State. The State has no supreme judge placed above itself, and therefore it concludes all its treaties with that mental reservation. This is confirmed by the fact that, so long as there is an International Law, the moment that war is declared all treaties between the belligerent nations are cancelled. Now every sovereign State has the unquestion-

[1] *Politik*, vol. ii. pp. 403-4.

able right to declare war when it so desires ; and therefore it is possible for every State to cancel its treaties. The progress of history is bound up with this continual modification of treaties ; every State must see to it that its treaties retain their vital energy and do not become out of date ; or else it will be forcibly awakened to the fact by a declaration of war from another Power. For treaties which have outlived their purpose must be discarded ; and new treaties corresponding to the new conditions must take their place.

" Hence it is evident that the limitations which international treaties impose upon the free exercise of the will of a nation are not absolute limitations, but voluntary and self-imposed limitations. From this it follows directly that the establishment of an international court of arbitration as a permanent institution is incompatible with the nature of the State ; at the most the State could only submit to such a court of arbitration in questions of secondary or tertiary importance. In questions of supreme and vital importance there can be no unbiassed alien power. If, for instance, we were foolish enough to treat the Alsatian problem as an open question, and to submit it to an arbitrator, does any one seriously imagine that such an arbitrator could be entirely without bias ? Besides, it is a matter of honour for a State to settle such a question for itself. Thus a final international tribunal is an impossibility. International treaties may become more frequent, but to the end of time the right of arms will endure, and therein lies the sacredness of war." [1]

Obviously this account of treaties contains a truth which is too often overlooked. A State cannot be expected to remain bound by a treaty which has become, by the lapse of time, injurious to its vital interests. But Treitschke's disciples have used his doctrine, that treaties hold good only *rebus sic stantibus*, in a sense which he does not seem to have intended. There is nothing to show that he recommended

[1] *Politik*, i. pp. 37-9.

a policy of pretending to respect treaties until the opportune moment for violating them should arise. A treaty may fairly be denounced ; but ought it not to be denounced at such a time and in such a manner that the other contracting party has fair notice of the treatment which it may expect in the future ?

This question is not actually discussed by Treitschke. He does, however, discuss the wider question, which embraces this, how far a nation is bound to observe the ordinary rules of morality. He rejects, as a matter of course, the mediaeval doctrine of a Law of Nature, a universal moral code which claims the allegiance of the State no less than of the individual. But he criticises Machiavelli for supposing that the State was exempt from any sort of moral obligation to exercise a certain self-restraint. He concludes that, on purely utilitarian grounds, it is unsafe to override ordinary conceptions of honesty and justice. A State which does so makes itself an outlaw, a *caput lupinum* :—

" In the first place, it is very obvious that, as a great institution for the education of the human race, the State must come under the moral law. It is foolish to assert unconditionally that gratitude and generosity are not political virtues. Think of that insolent and frivolous prince, Felix Schwarzenberg. When Russia had again placed Hungary under the feet of the Hapsburgs,[1] this brutal man said mockingly : ' The world will some day marvel at our ingratitude.' This utterance was held up to admiration. What was the result ? When soon after, in the Crimean war, Austria proved the truth of the prophecy, and was actually foolish enough to ally herself with France and England, Russia was seized with a passionate hatred against Austria, and has ever since opposed her everywhere with deadly enmity. No State at the end of a brilliant campaign has ever concluded a more generous peace than that of 1866. We did not take a single village from Austria, although our

[1] In 1849.

Silesian countrymen wanted at least to have the road-junction of Cracow. And yet has not this treaty proved wise from the point of view of policy ? In case at some future date a union between the powers should ever be effected, it would not have been wise to add fresh mortifications to the defeats on the battlefield. This was a foresight which went hand in hand with generosity. Or if we consider the foundation of the Zollverein, the confidence of the small States in the upright dealing of Frederick William III. was a very important political asset for Prussia. Looking at the matter as a whole, then, we see that it is by no means true that the decision of diplomatic questions is a matter of cunning. On the contrary, a sincere and honest policy builds up a national reputation which is a power in itself ; for neighbouring States come to feel that they can depend on the government of such a State, and the State acquires a certain moral authority.

" Journalistic phrasemongers, to be sure, talk about great statesmen as if they were a disreputable class of men, and as if lying were inseparable from diplomacy. Just the opposite is the truth. The really great statesmen have always been distinguished for their candour. Frederick the Great, before every one of his wars, explained with the utmost decision just what he wanted to accomplish. He did not scorn to use the weapon of cunning, but, on the whole, truthfulness was a predominant trait in his character. And how remarkable too, on the whole, was the massive sincerity of Bismarck, for all his craftiness in single instances. And for Bismarck candour was a most effective weapon, for when he spoke out his intentions frankly, the inferior diplomats always imagined that he intended to do just the opposite. If we examine the various human professions, in which of them shall we find the most lying ? Evidently in the world of commerce, and so it has always been. In trade-advertisements lying is a regular system. Contrasted with it, diplomacy seems as innocent as the dove. And between the two there is this vast difference. If an un-

principled speculator lies on the Stock Exchange, he does it out of regard for his own purse ; but if, in a political negotiation, a diplomat is guilty of a misrepresentation of facts, he has done it out of regard for his country. As historians, then, whose task is to examine the whole of human life, we must admit that the diplomatic profession is a very much more moral profession than that of the tradesman. The greatest moral danger for the diplomat is not lying, but the intellectual shallowness of an elegant drawing-room life.

" The claim that politics must submit to the universally accepted moral law is also recognised in practice. Injustice and crime are not as a rule practised openly ; men try to find excuses for their actions, and thereby indirectly recognise the authority of the moral law. In politics we seldom find a case of a frank admission of a criminal action. It is the French who have particularly excelled in this barefaced cynicism. When Napoleon III. received his generals soon after he had effected his *coup d'État*, a marshal uttered these significant words : ' Sire, the army is dull. When can we strike the first blow ? ' But such an insolence and shamelessness as this is rare in political life. When Philip II. expelled the Moriscos, in that ghastly persecution of the Moors, he delivered assurances to all the courts that he had employed only mild and humane methods for converting the Moriscos." [1]

None the less it remains true, for Treitschke, that self-preservation is the first duty of the State ; not merely its most elementary duty, as every one would agree, but actually its highest duty. The State has no moral right to immolate itself upon the altar of an ideal :—

" If we apply the standards of a deeper Christian morality to the State, and if we bear in mind that the essence of this great collective individuality is power, we realise that the

[1] *Politik*, i. pp. 95-7.

highest moral duty of a State is to maintain its power. The individual must be sacrificed for the sake of a higher community of which he is a member. But the State is the supreme human community ; therefore, in the case of the State, there can be no duty of self-sacrifice. The Christian obligation of self-sacrifice does not exist for the State. In the whole history of the world there has never been any authority set above the State, and it is therefore impossible for the State to make sacrifices for the sake of any power higher than itself. We applaud a State for perishing sword in hand, when it finds itself faced with disaster. For one State to sacrifice itself in the interests of another would be not only immoral, it would be contrary to that principle of self-preservation which is the highest duty of a State.

" We see, then, that a distinction must be made between public and private morals. The relative importance of various obligations must be quite different in the case of the State from what it is in the case of private individuals. A great number of the duties incumbent upon private individuals could not possibly be held to be incumbent upon the State. The highest duty of the State is self-preservation. Self-preservation is for the State an absolute moral obligation. And therefore it must be made clear that of all political sins, that of weakness is the most heinous and despicable. The sin of weakness in politics is the sin against the Holy Ghost. In private life there may be excuses for moral weakness. In the State there can be no question of any excuse. The State is Power, and if it is false to its own nature, no punishment can be too severe for it. Think of the government of Frederick William IV. We have seen that generosity and gratitude may be virtues in politics as well as in private life, but they are only virtues in politics if they do not militate against the main object of politics—the maintenance of the power of the State. In the year 1849 all the minor German princes were trembling on their thrones. Frederick William IV. adopted a course praiseworthy in itself. He marched Prussian troops into Saxony

and Bavaria, and restored order in these States. But now we come to the heinous sin. Were these Prussians to shed their blood for the kings of Saxony or Bavaria? The question was, how to secure a permanent gain for Prussia. And here Prussia had these States in the palm of her hand. All that remained to be done was to let the Prussian troops stay there until the princes of Saxony and Bavaria had become accustomed to the new German Empire. Instead of this, the king simply let the troops march off again; and you may be sure that the Saxons and Bavarians made a long nose after them when they saw them go. That was weak and senseless. The blood of the Prussian people was sacrificed for nothing." [1]

Since the law of prudence only enjoins that the State should respect the moral standards which its neighbours hold in honour, it follows that a State which finds itself in contact with relatively barbarous or unscrupulous peoples may prudently and justifiably come down to their level. Brutality may be met with brutality, and fraud countered by fraud. In fact it would be folly for a statesman to adopt any other rule of conduct in dealing with such enemies:—

"We have already seen that the power of sincerity and candour in political life is much greater than is commonly maintained. The modern theory is that there is no such thing as an instinctive human craving for truth; that truthfulness is a conventional obligation imposed on men for the purposes of the law. No! humanity has an instinctive craving for truth, which varies only at different epochs and in different nations. Even among oriental nations, who excel in mendacity, we find this craving for truth. The elder brother of Wellington acquired an immense power in India just because the Nabobs knew that he was a man who always said what he thought. On the whole, however, it

[1] *Politik*, i. pp. 100-1.

is obvious that the political measures employed in dealing with nations on a lower level of civilisation must be adapted to their intellectual and emotional capacities. Any historian would be a fool if he were to judge European statecraft in Africa and the East by the same rule as in Europe. In dealing with uncivilised nations any one who cannot inspire terror is lost. At the time of the Indian Mutiny, the English bound Hindus in front of the mouths of their cannon and blew them to pieces, so that their bodies were scattered to all the winds of heaven, and, as death was instantaneous, we cannot blame the English for doing so. The necessity of employing means of intimidation is obvious in a case like this ; and, if we accept the assurance of the English that their rule in India is moral and necessary, we cannot disapprove this means of enforcing it.

" Thus the principle of relativity applies to place as well as to time. It must be considered that States very frequently maintain through many decades a state of veiled warfare ; and it is obvious that much diplomatic cunning is justified by the very fact of this state of latent war. Consider, for instance, the negotiations between Bismarck and Benedetti. Bismarck still hoped that a great war might be avoided. Then came Benedetti with his unblushing demands. Was it not morally legitimate for Bismarck to put him off with half-promises and to imply that Germany might possibly concede his demands ? Similarly with the employment of bribery as a weapon against another nation under such conditions of veiled hostility. It is absurd to bluster about its immorality, and to expect that a State in a case like this should do nothing without consulting the Catechism. Before the outbreak of the Seven Years' War, Frederick had a suspicion that a storm was gathering over his little State. He therefore bribed two Saxon-Polish secretaries in Dresden and Warsaw, and obtained from them information, which happily turned out to be exaggerated. Could it be expected of King Frederick, when the question in his mind was, how could he save his noble Prussians from

destruction, that he should respect the official system of the Electorate of Saxony? It is tacitly recognised among States that there is no State in the world which has not, at some time or other, made use of rogues for the purposes of spying. But the importance of such methods must not be exaggerated. They play only a minor rôle. But that the Foreign Office of a nation is justified in employing them as a weapon against other States is obvious." [1]

It may be objected that a resolute determination in the State to behave no better than its neighbours will certainly prevent any amelioration of international ethics. It is difficult again to see how any State can claim the right to act as a missionary of civilisation, to subdue less cultivated communities for their ultimate good, if it starts with the intention of adopting their standards of conduct. And this second objection is the more cogent since Treitschke holds that colonisation, besides being an economic necessity, is also the outcome of a moral impulse, in so far as it means the subjugation of the coloured races. It is worth noticing that he considers the tropical form of colony more advantageous than the colonies of European population upon which the mother-country cannot hope to impress her influence for an indefinite period of time.

His treatment of the question of colonies has an important bearing upon international relations. He values colonies because he holds that they, in various ways, enable the mother-State to express her individuality and to save her surplus population from being dissipated among other States. He arrives at the conclusion that colonies are a positive necessity, because self-preservation means self-expression and the boundless accumulation of power. From this belief it is only a short step to the further proposition that the need of such a State as Germany for colonies is "a necessity which knows no law." Treitschke does not take the step; but he distinctly indicates the moral which

[1] *Politik*, i. pp. 106-9.

his pupils have deduced from his premises. In the face of such a necessity the State which has secured the most desirable sites for colonisation is the arch-enemy.

The two following passages illustrate his views as to colonial policy :—

" All the great nations in history, when they have become powerful, have felt an impulse to stamp their character on savage nations. At the present day we see the European nations engaged in establishing a vast aristocracy of the white race all over the surface of the globe. Any nation that does not take part in this mighty contest will, at some future time, find itself forced to play a very pitiful rôle. For nations at the present day it is a matter of life and death to press on with their colonising activity. The Phoenicians were the first nation in history to reap the glory of a world-trade, and they too were great colonisers. Then followed the colonisation of the Greeks on the easterly and westerly shores of the Mediterranean ; then came the Romans ; then, in the Middle Ages, the Germans, the Spanish, and the Portuguese ; and, finally, Holland and England, after the Germans had for a long time been entirely wiped out from the number of maritime powers.

" It is the agricultural colonies that are undoubtedly the most profitable to a nation. In regions, the climate of which more or less resembles our own, and which permit of a vast emigration from the mother-country, there may, under favourable circumstances, ensue such a feverish increase of population, as occurred for instance in America. Yet with such colonies there is always the possible danger that they will turn against the mother-country, and try to shake off her yoke." [1]

" We realise now what we have missed. The results of the last half-century have been appalling ; it was during this period that England conquered the world. The continental nations, themselves devastated by perpetual warfare,

[1] *Politik*, i. pp. 121-2.

had no leisure to glance across the ocean, where England was seizing everything for herself. The Germans could only let it go on and shut their eyes, because their neighbours and their own internal dissensions were keeping them fully occupied. There can be no doubt that a great colonial expansion is an advantage to a nation. The opponents of colonisation in our own country show their short-sightedness in failing to grasp that this is so. And yet the whole destiny of Germany hangs upon the answer to the question : How many millions of German-speaking men will the future have to show ?

" It is nonsense to assert that the emigration from Germany to America is of any advantage to us. What gain can it have been for Germany that thousands of the flower of her manhood, because they could not earn a livelihood in the Fatherland, have turned their backs upon her ? They are lost to Germany for ever. Even if the emigrant himself is bound to the homeland by certain natural ties, as a general rule his children, and in any case his grandchildren, are Germans no longer. For the German learns only too easily to discard his nationality. Besides, German emigrants to America are not in a position to preserve their nationality for any length of time. When the Huguenots immigrated to the March of Brandenburg, though on the whole more civilised than the Brandenburgers, they inevitably lost their nationality, on account of the superior numbers of their hosts. The same is true of the Germans in America. Almost a third of the North-American population is of German origin. How much precious strength have we lost through this emigration, and how much are we losing every day, without gaining the smallest compensation in return ! Both the working power and the capital of these emigrants is entirely lost to Germany. Yet, if they went out as colonists, what immeasurable financial gains these men would procure for this nation." [1]

[1] *Politik*, i. pp. 123-4.

So far Treitschke has not described International Law except by negatives, nor has he explained the nature of the society of nations. We might derive a false impression from his picture of the *Volk in Waffen* ; we might suppose that he rejoiced in the prospect of a ceaseless war of all against all. This impression, however, must be corrected by reference to the more systematic discussion of International Law which he gives at the end of the second volume of the *Politik*. Here he describes International Law as a set of rules framed by the enlightened self-interest of nations, and predicts that these rules will steadily obtain more and more respect. There are still some features in his developed theory which call for criticism : as, for instance, the arrogant refusal to admit that minor States or neutral States have a claim to share in drafting these rules ; and again the assertion that national honour cannot be too jealously upheld. His doctrine of the nature of treaties still leaves a dangerous loophole to the unscrupulous. But, in the light of this passage, it would be grossly unfair to tax him with an absolute contempt for International Law, though it is fair to say that his knowledge of the history of that law, and his appreciation of its value, leave something to be desired :—

" It is essential, then, to go to work historically, and to consider the State as what it is—as physical force, though at the same time as an institution intended to assist the education of the human race. In so far as it is physical force, the State will have a natural inclination to snatch for itself such earthly possessions as it desires for its own advantage. It is by its very nature grasping. Every State will, however, of its own accord, show a certain consideration for neighbouring States. As a result of reasoned calculation, as well as from a mutual sense of their own advantage, the States will exhibit an increasing respect for justice. The State comes to realise that it is bound up with the common life of the States among which it is situated. Every State will, as a matter of course, observe certain restraints in its

dealings with neighbouring States. From reasoned calculation, from a reciprocal recognition of self-interest, a more definite sense of justice will develop with the course of time. The formal part of International Law—for instance, the theory of the inviolability of ambassadors, with all its accompanying ceremonial—developed comparatively early and securely. In modern Europe the privileges of Ambassadors, with all that this entails, are absolutely secure. It is safe to say that the formal side of International Law is much more firmly established and is much less frequently transgressed than are the rules of municipal justice in most States. Nevertheless, since there is placed above the States no higher power which can decide between them, the existence of International Law is always precarious. It always must remain a *lex imperfecta*. Everything depends upon reciprocity; and, since there is no supreme authority capable of exercising compulsion, the influence of science, and, above all, of public opinion, will play an important part. Savigny declared International Law to be no *strictum jus*, but a law in constant process of evolution. This, however, by no means implies that International Law is void of meaning. This evolving law has indeed a palpable effectiveness, the consequences of which we can trace in their developments up to the present day. There can be no doubt that the development of modern International Law was very materially influenced by Christianity. Christianity created a spirit of cosmopolitanism, in the noblest sense of the word; and it was therefore only reasonable and logical that, for centuries, the Porte should not have come within the province of European International Law. The Porte was not in a position to profit fully by the benefits of European International Law, so long as it was exclusively swayed by Mohammedan ideas of morality. It is only in recent times, since Christianity has become so strong in the Balkan Peninsula as to thrust Mohammedanism comparatively into the background, that the Porte has been invited to participate in international negotiations.

"History shows us that great States are continually developing out of small States which have outlived their vitality. The great States must finally attain such a measure of power that they can stand on their own feet, that they are self-sufficing. Such a State must desire that peace should be maintained, for the sake of its existence and for that of the treasures of civilisation which it has under its care. So, out of this common sense of justice, there ensues an organised society of States, a so-called political system. Such a system is, however, impossible, apart from a certain—at least approximate—equilibrium between the Powers. The idea of a balance of power in Europe was at first, as we have seen, conceived very literally; but it does contain a germ of truth. We must not think of it as a *trutina gentium*, with both scales on the same level; but an organised political system presupposes that no one State shall be so powerful as to be able to do just as it pleases without danger to itself. Here we see very clearly the superiority of the European system over the crude state-system of America. In America the United States can do just as they please. It is only because their ties with the small South American Republics are still very slight that the latter have not yet suffered any direct interference on the part of their great neighbour.

"Gortschakoff remarked with justice that the advent of the last International Conference will not be promoted either by the nations who are always fearing an attack, nor yet by the nations who always feel themselves in a position to make an attack. This was a remarkable statement, and it has been illustrated by concrete examples. It is very unfortunate for the science of International Law that countries like Belgium and Holland should so long have been its home. These countries, because they are in constant fear of being attacked, take a sentimental view of the subject, and tend to make claims on the victor in the name of humanity, claims which are unnatural and unreasonable and contrary to the power of the State. The treaties of Nimeguen and Ryswick remind us that, in the seventeenth

century, Holland was looked upon as the proper scene for the drama of *la haute politique*. Switzerland, at a later date, enjoyed the same reputation. And, at the present day, few people trouble to think how absurd it is that Belgium should fondly conceive herself to be the centre of International Jurisprudence. As certainly as that public law is founded on practice, it follows that a State which occupies an abnormal position will form an abnormal conception of International Law. Belgium is neutral ; it is by its nature an emasculated State. Is such a State likely to develop a healthy notion of International Law ? I beg you to keep this consideration firmly in your minds hereafter, when you are confronted with the mass of Belgian literature on this subject. On the other hand, there exists to-day another State, which fancies itself in the position of being able to make an attack at any moment, and which is consequently the stronghold of barbarism in International Law. It is the fault of England alone that the provisions of International Law which relate to maritime warfare still sanction the practice of privileged piracy. So we are brought to realise that, since reciprocity is the very basis of International Law, it is of no use to hold up vague phrases and doctrines of humanity as the rule of conduct for States to follow ; all theory must be founded on practice ; only then does an understanding become genuinely reciprocal. That is a true balance of the Powers.

" If we are to avoid misconception concerning the significance of International Law, we must bear in mind that all the International Law in the world cannot alter the essential nature of the State. No State can reasonably be called upon to agree to something which would amount to suicide. Even in the State-system, every individual State must still preserve its own sovereignty ; even in its intercourse with other States, the preservation of this sovereignty is still its highest duty. The enduring provisions of International Law are those which do not affect sovereignty, that is to say, those concerned with ceremonial and with inter-

national private law. In time of peace it is hardly probable that these rights will be infringed; if they are, such infringements will be immediately expiated. Any one who, even superficially, attacks the honour of a State, challenges by his action the very nature of the State. To reproach a State for having a too irritable sense of honour is to fail to appreciate the moral laws of politics. A State must have a very highly-developed sense of honour, if it is not to be disloyal to its own nature. The State is not a violet blooming in the shade. Its power must stand forth proud and refulgent, and it must not allow this power to be disputed, even in matters of forms and symbols. If the flag of the State is insulted, it is the duty of the State to demand satisfaction, and, if satisfaction is not forthcoming, to declare war, however trivial the occasion may appear; for the State must strain every nerve to preserve for itself that respect which it enjoys in the State-system.

"From this it also follows that the limitations which States impose upon themselves by means of treaties are voluntary self-limitations, and that all treaties are concluded with the mental reservation *rebus sic stantibus*. There never has been a State, and there never will be a State, which, in concluding a treaty, seriously intended to keep it for ever. No State is in a position to conclude a treaty (which necessarily implies a certain limitation of its sovereignty) for all time to come. The State always has in mind the possibility of annulling the treaty at some future date; and indeed the treaty is only valid so long as the conditions under which it was made have not entirely altered. This idea has been declared inhuman, but actually it is humane. Only if the State knows that all its treaties have only a conditional validity, will it make its treaties wisely. History is not meant to be considered from the standpoint of a judge presiding over a civil lawsuit. From this point of view Prussia, since she had signed the Tilsit treaty, ought not to have attacked Napoleon in 1813. But this treaty, too, was concluded *rebus sic stantibus*; and the circumstances (thank

God !) had fundamentally changed even in those few years. A noble nation was given the opportunity of freeing itself from an insupportable slavery ; and, as soon as a nation perceives such an opportunity, it is justified in daring to take advantage of it.

" We must never lose sight in politics of the free moral forces of national life. No State in the world is to renounce that egotism which belongs to its sovereignty. If conditions are imposed on a State which would degrade it, to which it could not adhere, these conditions will be ' more honoured in the breach than in the observance.' History reveals one very beautiful fact : that a State recovers more easily from material losses than from attacks upon its honour. The loss of a province may be endured as a necessity imposed by prudence ; but to endure under compulsion a state of slavery is an ever-open wound to a noble people. Napoleon I., by the constant presence of his troops on Prussian soil, infused a glowing hatred into the veins of the most long-suffering. When a State is conscious that its honour has been insulted, the renunciation of a treaty is only a question of time. England and France experienced this in 1870, after the Crimean War, when they had arrogantly imposed upon exhausted Russia the condition that Russian warships should no longer be allowed in the Black Sea ; and, when Russia took advantage of the good opportunity afforded by the Franco-German War to renounce this treaty, with the tacit support of Germany, she was doing no more than was morally justifiable.

" When a State realises that existing treaties no longer express the actual relations between the Powers, then, if it cannot bring the other contracting State to acquiescence by friendly negotiations, there is nothing for it but the international lawsuit—War. Under such circumstances, a State declares war with the consciousness of fulfilling an absolute duty. No motives of personal gain are involved. The protagonists have simply perceived that existing treaties no longer correspond with their actual relations, and, since the

matter cannot be decided peaceably, it must be decided by the great international lawsuit—War. The justice of war depends simply on the consciousness of a moral necessity. Since there cannot be, and ought not to be, any arbitrary power placed above the great personalities which we call nations, and since history must be in an eternal flux, war is justified. War must be conceived as an institution ordained of God. A State may, of course, form a mistaken judgment concerning the inevitability of war. Niebuhr says truly: 'War does not establish any right that did not already exist.' Individual acts of violence are expiated in the very moment that they are performed. It was thus that the unity of Germany and of Italy were achieved. On the other hand, not every war has an inevitable result, and the historian must therefore preserve an open mind; he must remember that the lives of States are counted in centuries. The proud saying of the vanquished Piedmontese—'We begin again'—will always have its place in the history of noble nations.

"War will never be expelled from the world by international courts of arbitration. In any great question which concerns a nation's life it is simply impossible for the other members of the State-system to remain impartial. They must be partial, because they are members of a living community, mutually bound together or held apart by a diversity of interests. Supposing that such a foolish thing were possible as that Germany should allow the question of Alsace-Lorraine to be decided by a court of arbitration, which of the European nations would be capable of viewing the question impartially? Such a thing is not to be dreamed of. Hence the well-known fact that International Congresses are able to formulate the results of a war, and to decide upon it juridically, but that they are powerless to avert a war that is threatening. It is only in questions of the third rank that a foreign State can possibly be impartial." [1]

[1] *Politik*, ii. pp. 546-53.

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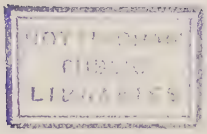

CHAPTER IX

"DIE POLITIK"—(III.) CONSTITUTIONS

§ 1. *Standards of Judgment*

FAITHFUL to the rule that every constitution must be judged with reference to the people for which it is intended, Treitschke never attempts to describe, even in outline, the ideal State. He contents himself with mentioning one or two general principles which any State, under whatever conditions it exists, must observe, and one or two tests by which the historian may measure praise or blame.

Thus he tells us that, "since *Staat ist Macht*, the State which unites all power in a single hand and asserts its own independence" corresponds most nearly to the ideal. Montesquieu's doctrine, that the best State is one in which the legislature, executive and judicature are independent of each other, is altogether false. Judged by the test of undivided sovereignty, a theocracy (such as we find in Asiatic States) is at once ruled out of the catalogue of civilised constitutions:—

"It is clearly impossible to arrange the three forms of State [1] in order of moral rank. But one thing can be affirmed, namely, that a theocracy implies a bondage to a primitive moral code, which could not be tolerated in any free and progressive nation. Only where the assumption reigns that the gospel is in itself a power for coercion, only in such a dark confusion of religious and political

[1] Theocracy, Monarchy, Democracy.

ideas, can a theocracy flourish. Therefore a theocracy must be looked upon as the most immature form of State. This becomes evident if an attempt is made to set it up in an emancipated nation. Then it is seen to be in the highest degree grotesque. The history of the Papacy affords excellent proof of this. On the other hand, we must refrain from making a moral comparison between a republican and a monarchical system of government. The historian must be content to ask, 'Which form of state and of law was best suited to a particular nation at a particular time?' He will thus admit a republic to be moral, where it corresponds with the moral conditions of a nation. With reference to the best form of State, all that the historian can assert without presumption is that, since the State is primarily power, the form of State which will take the government into its own hands and make itself independent best fulfils this idea. With reference to the constitution of the Church, on the other hand, it may be asserted with equal confidence that the ideal form is a republic. The power of the Church is based on the consciences of all its members. Therefore, a constitution which encourages the exercise of the individual conscience, and which establishes the Church as the living expression of the faith—that is to say, a republican constitution—best corresponds with the intrinsic nature of the Church. By the same reasoning, a monarchically constituted Church is furthest removed from the ideal." [1]

Again, a State which sets before itself a practicable ideal is superior to those which pursue the unattainable. Judged by this test a democracy must be held inferior to a monarchy or an aristocracy. For a democracy is founded upon the assumption that men are by nature equal, whereas they are fundamentally unequal :—

"However unpopular it may sound to-day, in this age of democratic culture, it is none the less true that the same

[1] *Politik*, ii. pp. 10-11.

applies to a democracy. For the very word 'democracy' contains a contradiction in terms. The notion of ruling implies the existence of a class that is ruled; but if all are to rule, where is this class to be found? A genuine democracy, logically carried out, aims at a goal which, like that of a theocracy, is impossible. Both have in common the convulsive effort to attain an idea which by its nature is unattainable. We see this in all radical democracies. All natural human differences must be forcibly set aside, until finally we come to the notion that distinctions of race also must be swept away. For the sake of a principle the upholders of democracy would bludgeon out of existence every single distinction between members of the human race." [1]

But if equality is impossible, liberty of a truer kind can be obtained; and we have already seen that Treitschke finds the distinctive characteristic of a civilised State in its ever-growing respect for individual liberty. It is worth while to collect the passages of the *Politik* which bear upon the definition of liberty:—

"Liberty is based upon reasonable laws, and their observance; accordingly the authority of the laws is an indispensable condition of liberty." [2]

"Liberty consists in reasonable laws, which the individual can obey with the approbation of his moral conscience, and in the observance of these laws." [3]

"It is a false conception of liberty to seek for liberty not in the State, but from the State." [4]

"Concerning the nature of liberty Aristotle has expressed a profound truth, which holds good for all time: *One principle of liberty is for all to rule and be ruled in turn. Another is that a man should live as he likes.*[5] To translate the first proposition in a more general form, one part of liberty is

[1] *Politik*, ii. p. 15.
[2] *Ibid.* i. p. 150.
[3] *Ibid.* p. 156.
[4] *Ibid.* p. 157.
[5] Aristotle, *Politics*, 1317 b ἐλευθερίας δὲ ἓν μὲν τὸ ἐν μέρει ἄρχεσθαι καὶ ἄρχειν . . . ἓν δὲ τὸ ζῆν ὡς βούλεταί τις.

the participation of the citizen, in any kind of way, in the management of the State, and this is political liberty; the other part is that the individual should be restricted as little as possible in the activities of private life. This antithesis between political and personal liberty runs through the whole of history. . . . In antiquity the political conception was so predominant that one is surprised to find Aristotle, a man of the antique world, describing personal liberty at all. The modern world, on the other hand, pays attention, in the first place, to private liberty . . . the modern man desires, first and foremost, free scope and protection for his economic activity." [1]

" It is a fashionable political folly of the present age to seek for political liberty in a particular form of constitution, in constitutional monarchy, for example, or in a republic. . . . Why should we stigmatise as unfree such a powerful military State as that of Philip of Macedon? There you have a voluntary obedience. Or are we to call the State of the Great Elector unfree? . . . If we look for a law that can be verified from history, we can only say that wealth and education, the two attributes on which the capacity for participating in government are really based, diffuse themselves with the development of civilisation over wider and wider areas; and therefore we can perceive that the constitution of the State tends to become democratic. The qualification for an active part in politics is extended over wider and wider areas. If this extension is confined within reasonable limits, every historian must regard it as justifiable." [2]

" The exercise of the franchise is not in itself a political education; political liberty depends much less upon the right to vote than upon a serious and conscientious participation in administrative work." [3]

" The rule of the majority, which must exist in a democracy, gives no secure guarantee for political liberty. In form every one is permitted to participate in framing decisive

[1] *Politik*, i. p. 158. [2] *Ibid.* pp. 159-60.
[3] *Ibid.* p. 161.

resolutions ; but if he is not in the majority, he must obey against his will." [1]

" Further, it is a peculiar fact that, while democracy preserves absolute freedom of competition in its economic life, spiritually-minded demagogues meddle most recklessly with private morals and family life. What a contrast between the unlimited political liberty and the monstrous temperance laws of many states in the American Union ! " [2]

When we piece these and some other utterances together, it is evident that this liberty, which Treitschke regards as the highest good that can be realised within the State, is only possible in a few forms of State. It will not be found where the majority exercise an absolute sway. It will not be found in an enlightened despotism, such as that of the third Napoleon. It implies, in its highest form, a wide diffusion of culture and material prosperity. It implies free local government, and a central government which is susceptible to public opinion, though not subservient to it. Treitschke, in fact, has gone further in building up a positive ideal of the best State than he is himself aware.

Besides stating his own ideal, he criticises those of others. In his own time there were two influential schools of German politicians who offered two easy nostrums for the cure of all political diseases, both in Germany and in every other European State. The one school held that all would go well if the State became a National State in the fullest sense of the word ; the other sang the praises of Parliamentary Government coupled with the English Party system.

§ 2. *The Nostrum of Nationalism*

It will be observed that Treitschke's definition of the State does not contain any reference to the national principle. His definition is based upon the facts of history ; and historical experience has proved that a strong State may be formed out

[1] *Politik*, i. p. 255. [2] *Ibid.* ii. p. 270.

of a fraction of a nationality, and even out of fragments of several nationalities. But, apart from history, he was not prepared to make the national principle his guiding-star. He held that a State which is exactly coextensive with a nationality is the stronger on that account. But he attached more importance to community of interests and to a centralised government than to the sentimental ties of common descent and a common mother-tongue. He preferred the North German Confederation to the Greater Germany of the Confederation of 1815, because a *Bundesstaat* was politically more centralised than a *Staatenbund*. He dismissed as chimerical all plans for the incorporation of Belgium and Holland in Germany; the fact that many of the Belgians and all the Dutch were of German origin seemed to him a consideration which ought not to influence German policy:—

" Our century is thus filled with national antagonisms; and it is not surprising, therefore, that there has been talk of setting up a principle of nationality. Yet, if we refuse to allow ourselves to be taken in by these Napoleonic phrases, we see that as a matter of fact there are two strong forces working in history: firstly, the tendency of every State to amalgamate its population, in speech and manners, into one single unity; and, secondly, the impulse of every vigorous nationality to construct a State of its own. It is apparent that these are two different forces, which for the most part oppose and resist one another. The question is to discover how a settlement may be arrived at. The natural tendency is that the conceptions 'Nation' and 'State' should coincide with one another. That is the instinct of all great nations, but history shows us how remote this has been from actuality. The pre-eminence of western culture is due to the fact that Western Europe has larger compact and uniform ethnological masses, while the East is the classical land of the fragments of nations. Thence it follows directly, apart from other causes, that the oriental State can hardly be a moral unit. It must be content with an administration that is

only surface-deep ; the ruling nationality will only insist on tribute and external submission. Russia and Austria are in this respect in a stage of transition from western to eastern nations. Already we see in them a preponderance of oriental over European population, and this affects the whole life of the State.

" Hence it appears, in the life of nations, there are two great forces, which may act either in opposition to or in union with one another. It is clear, moreover, that the idea of nationality is the more active, and that it influences the whole course of history. Almighty God did not put the various nationalities into separate glass cases, like a collection of biological specimens ; and we can see for ourselves what transformations have been effected among them in the course of history. Nationality is not a settled and permanent thing. There are examples of great nations whose original character and native genius have never quite been lost, but we see how these may become alloyed. The Greeks and the Germans were instances of two primitive peoples whose idiosyncrasy could never be subdued. The iron strength of the Roman Empire was powerless over them. Military colonies might be established on German soil, but to Romanise the Germans was an impossibility. When, however, our ancestors marched as conquerors into the Roman Empire, there was a reversal of the ethnographical process ; the superior civilisation revenged itself on its conquerors. The Lombards retained their German speech for a comparatively lengthy period ; the Ostrogoths preserved it always, but their kingdom was of shorter duration. In far the greater number of the other Germanic States which were founded on Roman soil, we see the conqueror fairly soon adopting the language and customs of the more highly civilised race of the conquered. The Visigoths become Spaniards. The Burgundians become Gauls." [1]

The State, he argues, is a work of art ; and the statesman

[1] *Politik*, i. pp. 270-72.

may succeed in fusing together the most intractable nationalities to form a new community with distinctive characteristics. Racial differences are harder to overcome than those of nationalities ; this is illustrated by the case of India, and of the southern States in the American Union. Where such differences exist a free State cannot be founded ; there must be a ruling race if there is to be a State at all. It is otherwise when the differences are national not racial. In fact the conception of nationality is elastic ; it is hard to say what is the essence of a nationality. The case of the Irish proves that a nationality may persist when it has lost its language ; the case of the Swiss that national feeling may become extinct where the national language still remains in use. A nationality is always in a state of flux, always changing in character ; and it is quite possible for a dominant nationality to absorb the minor nationalities over which it rules. We must, however, bear in mind—here Treitschke returns for a moment to the ideals of his youth, the ideals of the Romanticists—that the greatest things in literature and politics are the product of national sentiment. Except for this one qualification, the following passage forms a striking contrast to those parts of *Die Freiheit* which glorify the national principle and insist upon the fundamental character of the differences between one nation and another :—

" It is then impossible to arrange the facts of history genealogically in a kind of family tree. On the contrary, it must be recognised that even nationalities are subject to the flux of history ; and it is equally instructive and difficult for the historian to trace out these ethnographical processes. Frequently he encounters what appears to be a miracle. Think of England, and how, out of the Anglo-Saxons and the Normans, after a violent struggle, there emerged one nation. We can see the completed process, and we can imagine, from our observation of individual instances, how this fusion of races takes place. The normal fact, however, is that the unity of the State should be based

on nationality. The legal bond must at the same time be felt to be a natural bond of blood-relationship—either real or imaginary blood-relationship (for on this point nations labour under the most extraordinary delusions). Almost all great nations, like the Athenians, label themselves autochthonous, and boast (almost invariably without foundation) of the purity of their blood. Yet it is just the state-forming nations, like the Romans and the English, who are of strikingly mixed race. The Arabs and the Indians are of very pure blood, but no one can say that either of these races has been a successful state-founder. Their strength lies in quite other spheres.

" If we consider the map of Germany, the inhabitants of large portions of Hesse, of Hanoverian Lower Saxony, as well as East Friesland, Westphalia, and (possibly also) Northern Thuringia, are of quite unmixed Germanic blood. In the regions farther west and south there is a strong admixture of Roman blood. This can be discerned even at the present day. Wherever the women carry their burdens on their heads, we may be mathematically certain that at some time there have been Romans. Wherever burdens are carried on the back or in the hands, there have never been Romans. But no one would venture to maintain that it was in these unmixed Germanic stocks that the creative political forces of Germany originated. The great upholders and pioneers of civilisation in Germany have been, in the Middle Ages, the South Germans, who are partly Celtic, and, in modern times, the North Germans, who are partly Slav. The same is true of Piedmont in Italy. In France pure Celtic blood is only to be found in Brittany. The Bretons have always been a sturdy little people ; they contribute its best soldiers to the French army, since the loss of Alsace. But it is a region of bigotry. The people lead a peaceful idyllic life, but the aptitude for state-building could never be ascribed to them. In the great process of attrition which a nation undergoes when it is mixed with other nations the gentler virtues perish, but the power of the will is strengthened.

So it is ; and it must be added that there is no such thing as a purely national history. Life as it is recorded in history is mostly a process of give-and-take and of cosmopolitan forces. On the other hand, all true heroism, whether in literature or in politics, must be national ; otherwise it will be without moral effectiveness. Taking these two great contradictions together, it becomes obvious that nothing is to be gained from barren talk about a right of nationality. Every State must have the right to merge into one the nationalities contained within itself ; and, on the other hand, the impulse will exist in every nationality to make itself politically independent." [1]

§ 3. *The Nostrum of Parliamentarism*

The Parliamentary system (*Parlamentarismus*) meant, in German politics, a literal copy of the English party system. It meant the control of the executive by a Cabinet, all chosen from one party, and that the dominant party in the Lower House ; it meant the collective responsibility (in a political sense) of the Cabinet to the Lower House in all questions of policy. Finally, it meant the reduction of the monarchy to a mere shadow, to a symbol of national unity. This had been the ideal of many Liberals in 1848 ; and some leading politicians had desired to endow the North German Confederation, and the German Empire itself, with this sort of Parliamentary government.

We have already seen some of the objections which Treitschke offered when *Parlamentarismus* was in the field as a programme of practical reform. In the *Politik* he restates his objections in a more general and a more compact form.

First he objects to the very principle of party :—

" As the sand on the dunes blows to and fro, so new parties form themselves. They are the ephemeral products of free political life, the outcome of antagonism of a social,

[1] *Politik*, i. pp. 278-80.

a national, or a religious character. They are necessary in a free people, to shape an average will out of many individual wills ; but to overvalue them is a proof of spiritual barrenness. To devote oneself entirely to a party means a conscious narrowing of the self ; natures which are really free have always a certain distaste for the one-sidedness of party spirit. Of every kind of party one may say that, under certain conditions, it is a destructive force. Social parties may lead to civil war, since they are guided by the basest passions. National antagonisms may secretly lead to the complete disintegration of the State. . . . How religious parties may destroy the civic sentiment is proved by the grisly annals of the Thirty Years' War. Social interests are always the first incentives to the formation of a party. But many other antagonisms co-operate in the work ; and one can only say in this place that strong disruptive forces in a nation have the right and the duty to express themselves in the form of parties." [1]

A party system is necessary and natural when it represents actual interests within the nation. It is intolerable when the parties live on reminiscences of feuds which are now absolute. But parties always need to be kept in check by a moderating power which is above them :—

" From this follows logically the old dogma that it is the duty of a government to stand above party, and also, as Bismarck said, to find the resultant of the various party forces. If the State is an organisation for administering justice, it must be un-partisan in nature. Herein lies the superiority of a well-ordered monarchy over a Republic, that in a monarchy the supreme power rests on its right, and, even if it is not always impartial in practice, is capable of being so. In Republics, on the contrary, the members of some party will always have charge of the helm of the State, and hence it will be much more difficult to secure an impartial

[1] *Politik*, i. pp. 153-4.

administration than it is in the case of a monarchy. Out of all this for and against and in and out of parties there emerges what we are accustomed to describe as public opinion. What public opinion demands from the State and from the government is freedom. What is meant by this ? It is merely an empty word. We must ask : Freedom from what ? The answer can only be : Freedom from unreasonable compulsion. Freedom, as we know already, is secured by reasonable laws, which individuals can obey with a sense of moral approbation, and by the upholding of these laws. The notions of legal authority and legal freedom are not opposed but correlated to one another. A freedom which is not assured, which is not expressed in common obedience to the laws, cannot be lasting. And so in great nations the idea of service—service of the fatherland—is always held in honour." [1]

" If, in a monarchy, the supreme power is vested by right in the person of the monarch, it follows that the King will elect his own advisers, and that these will execute his will. Only in this way will the monarchy fulfil its vocation, which is to stand above parties. It has been asserted, in opposition to this, that the Ministers must be independent of the King, because, otherwise, they could not be held responsible before the Chambers, for no one can be answerable for things which he has not done by his own initiative ; but that, as a matter of fact, very frequently there occurs a discrepancy between the will of the Chambers and that of the King. Mohl, in particular, has developed this theory. If we consider the developments which occur in all monarchies, which are more than monarchies in name, we shall answer that such a discrepancy does certainly exist ; it is not to be denied that the will of the King is frequently at variance with that of the representatives of such diversified interests. But the existence of our State demands that this discrepancy shall be reconciled, however inconvenient this may be for the Ministers concerned. The theorists who simply propose

[1] *Politik*, i. p. 156.

to decree this discrepancy out of existence overlook the fact that the Ministers are not only responsible to the Chambers, but also to the King.

"If we consider the matter impartially, we are forced to recognise that here is a question involving the very existence of the monarchy. If it belongs to the nature of monarchy that the supreme power should be vested in the monarch, it becomes evident that this nature is belied if the King is placed under the obligation of choosing his advisers in accordance with the will of the Parliament. Therefore the statement that the ultimate ideal of a constitutional monarchy is a pure Parliamentarism on the English pattern, a government by the party which has a majority in the House at the moment, is in contradiction to the idea of the monarchical state. And where is it written that Germany, with her glorious history, shall be obliged to follow the example of an island state, concerning which it may be asserted on the whole that, wherever it finds a source of strength, we find a source of weakness, and *vice versa*?" [1]

It may be objected that, in England, the party system has worn a more ideal character, that English parties stand for principles of permanent value which are not so much antagonistic as complementary the one to the other. But history shows that English parties, successful as they undoubtedly have been, have represented conflicting interests in the English aristocracy. Now that these interests are broken, the virtue has gone out of the English party system:—

"The struggle between the two great English political parties has never been, as Macaulay maintained, a dispute over principles. It has always turned on the question, who should control the government of the State? Both—Whigs and Tories—were aristocratic parties, and always voted for or against everything, according as they were

[1] *Politik*, ii. pp. 150-1.

in or out of power. The great changes in English political life have for the most part been brought about by the Tories. It is in no sense true, then, that these two aristocratic parties, both of which were in favour of the control of Parliament over the Crown, were divided in any deep matters of principle. It is the struggle for power which produces parties. Tories and Whigs were originally supporters of the Stuarts in the one case and of the Guelph usurpers in the other case. This cause of dispute gradually disappeared, but there remained the hereditary factions of the great families of the land.

" It is only in aristocratic States that it is possible for parties to endure so long. There arises a narrowness of party feeling against which the liberal-minded average man rebels. When Wellington was chief Minister, he perceived that Catholic emancipation was a necessity ; but when he resolved to take this step, it was regarded by the members of his party as a deadly offence. A German would consider it deserving of admiration that a man should sacrifice a traditional party prejudice for the good of his country. The English, however, say : ' It may perhaps have been necessary, but it was a severe blow to the ethics of party.' Here the word ' ethics ' is used in the same absurd sense as with us in Germany at the present day. This is what happens to a nation in which party feeling has entered into the very blood of the people. Both parties completely approved of the principles of the new constitution ; both were capable of governing ; and yet when the English crown, as a result of the ' glorious revolution ' and the wholly illegitimate summoning of the Guelphs to the throne, had been reduced to a cipher, parliamentary party government was found necessary.

" The English Parliament in its great days was a worthy counterpart of the Roman Senate. England was then an aristocratic republic in the grand style. The crown played only the part of ' a costly, but on the whole harmless capitol to the pillar of the State.' In conjunction with this must be

taken the hereditary intellectual nullity of the four Georges. The necessity for an aristocratic party government was based on the whole history of the State. And this party government accomplished great things. It raised England to the position of the leading commercial power; but it could only endure so long as the aristocracy was really the first class in the land, and was recognised as such. Now, after the beginning of the nineteenth century, this state of things began gradually to change. In 1832 came the first Reform Bill, which enlarged the numbers of the parliamentary electorate. From this time onward a quarter of the members were really elected. Before this time every great landowner had his member in his pocket. At the present day all this has been altered; a portion of the House of Commons does really represent the people; and the new interests of the middle classes are beginning to penetrate into the House of Commons. The suffrage was subjected to several further reforms, and now the terms 'Tory' and 'Whig' are rarely heard. There are now no longer two parties, but six or eight (they change even more quickly than with us). Since this approximation of the House of Commons to a national representative assembly, England has no longer only one aristocratic governing body. It presents the same variegated system that we see on the Continent, except that for all these parties there are only two leaders, and the members of the various parties support the one or the other of these, according to circumstances. It is obvious that such a division into two traditional parties would be impossible for us. We lack the pre-requisite conditions for it. And above all, it is contrary to the German nature. We are distinguished from other nations by an uprightness and sincerity, which makes it essential for us to speak out our convictions, and this disposition is entirely opposed to a stereotyped partisanship. We decline with thanks 'the holy bonds of friendship,' which have kept the English parties together. We desire that offices of State should be distributed according to deserts. That is exceedingly

difficult, but it is the ideal which hovers before the mind of every German." [1]

In the second place, Treitschke argues that *Parlamentarismus* is a plant of English growth, which has been fostered by the peculiar social conditions of England. Admirably suited to the England of the eighteenth century, it is for that very reason unsuitable for transplantation. In particular it is unsuited to Germany. He explains his reasons in the following passage, which, though it is little more than an expansion of a shorter statement which we have quoted above (Chap. V.), deserves to be translated in full :—

" If we extract the sum of all these circumstances in connexion with England, it becomes conceivable, as Montesquieu might have said, that the ruling idea in a constitutional monarchy must be mistrust ; a horrible doctrine, which would presume to base a noble State on one of the meanest instincts of mankind. But, even at the present day, this is actually a dogma with all Radical parties, though they may not venture to express it in so many words. Even my own dear teacher, Dahlmann, observed that, possibly, in constitutional governments, political freedom ran less danger from the mediocre kings than from a king of genius. Thus a noble and gifted man could speak as if genius, which is never anything but a heaven-sent blessing, were to be regarded as a public danger.

" It would obviously be undesirable, even if it were possible, that a monarchical system like the English, which is the product of peculiar historical circumstances, should be adopted in its entirety by other States. Common sense tells us that the best political institutions are those which are most effective in the ablest hands. To assert, then, that the kingly office must be so constituted as to preclude its being held by any one of more than average distinction, at the best, is to turn the world upside down. It is true that the whole education of the English princes has been based

[1] *Politik*, i. pp. 150-3.

on this assumption, and that it has been remarkably successful in ensuring the continuance of the hereditary insignificance of the members of the House of Guelph. Not one of those princes who has any hopes of succeeding to the throne is a soldier in the full sense of the word. And without being prophets, we are justified now in asserting that the hereditary characteristic of the Guelphs will be preserved in the next two generations of the House of Coburg. This accords with the character of the English State ; but we Germans have no intention of forsaking our simple common sense, or of suggesting to our nation that it should have a sound limb amputated for the sake of receiving in its place a cunningly wrought but artificial member. We have learnt by experience that our constitutional monarchy is so constructed as to be most effectual in the hands of a great monarch ; and our constitution has no intention of depriving the kingly office of all significance. Rather it aims at preserving the life and vigour of the monarchy, and that in a nation of very high political development. With us, kingship is almost the only strong political tradition which links our present with the past. Could we desire to exchange our glorious House of Hohenzollern for the English Georges ? The annals of our dynasty are such a food for pride that a Prussian might well say, ' The best monarch is quite good enough for us.' According to our constitution, the monarch is the sole and supreme head of the State ; and any one who asserts the contrary is forced to base his argument on alien and peculiar historical circumstances.

" Thus a feeble and illegitimate royal family is the most striking feature of the English State. The second point to be noted is the existence of a nobility possessing great power and great political ability. The English peasant class was completely bought out in the sixteenth century. Conditions similar to those found with us in Mecklenburg and in parts of Hither Pomerania, are the rule in England, even at the present day. In the agricultural districts the population is in a state of serfdom. We find the great landowners living

in their beautiful country houses; under them, and to a large extent dependent on them, the farmers; and, finally, the labourers, who are dependent for their whole existence on the landowner. In England, that peasant class, which is the great strength of Germany, has been swallowed up by the aristocracy, and consequently the parliamentary system has developed in the direction of an entirely aristocratic government. Although, since the days of the elder Pitt, the great debates have always taken place in the House of Commons, it would be quite incorrect to assume that the House of Lords has been powerless since that date. Who elected the members of the House of Commons? No one else but the Lords. The House of Commons was composed in the first place of the younger sons, cousins and nephews of the peers (who themselves represented the *élite* of the State in the House of Lords), and, in the second place, of the mere creatures of the peers, who were elected according to the orders of the great landowners. Every lord had in his pocket a number of electoral districts, the members for which he himself selected.

"Hence it was inconceivable that there should be a disagreement on any matter of principle between the Upper and the Lower House, and such a disagreement never actually occurred in the eighteenth century. Hence this powerful nobility, which so outshone the court that the latter no longer was nor is the central point of good society, determined, by its party organisation, the whole development of the State. The two great parties of the Tories and the Whigs were fundamentally agreed as to the principles of government. The only cause of contention was the application of these principles in a particular case. The important thing was the struggle for power for its own sake. The party struggle was therefore comparatively mild; often, in fact, it seemed absolutely meaningless; but it was just this fact that prevented it from ever threatening the existence of the State. The fact that these party contentions did not disturb the peace of the administration and the maintenance

of justice and order in the State was also connected with the old English system of local government. The great landlords, in the capacity of justices of the peace, managed the whole everyday local administration in the country districts in a clumsy, unskilful manner, but as free men. It was a point of honour for a young man of good family, when he had completed his travels and his studies, to have his name enrolled on the lists of justices of the peace; and this privilege was never denied to a landowner. These justices of the peace were drawn from both parties; and, as their authority extended over the whole country, they were able to exercise a restraining and moderating influence on one another. They occupied at the same time such an independent position, that a change in the ministry did not affect them at all. So matters took their course slowly, but without perversion of justice.

"Set above this aristocratic local administration we find a small number of parliamentary ministers—about sixty-four. These were the heads of the various government departments, and they forfeited their position with every change in the ministry. Yet their position was such as to satisfy the most exalted ambition. Below them we find a Government Civil Service, the members of which are designated 'clerks.' These clerks have absolutely no scope for the exercise of their own will, but are simply there to execute the orders of the parliamentary officials; and they are precluded by their office from entering Parliament. Now it has been proved by experience that, in any class of which the members are precluded from pursuing their highest ambition, there will be a certain loss of social and political status. If we formed such a notion of our staff of officers as necessitated that the generals should be selected from another class, everything would be changed. But that is how the case actually stands in England. The clerks of the Civil Service are excluded from the highest offices, and are thus subordinates in the most literal sense of the word, about as subordinate as the Councillors of our German Chancery

(*Kanzleiräthe*). They know, too, that they can never participate in the real work of government ; that they will never be anything but tools. Such a class is made up of other social elements than those which compose the ruling class. This affords a very striking illustration of the aristocratic character of the English State. In every government, no less than in every army, a distinction must be drawn between the subordinates and those actually in command ; but the level at which this distinction is drawn is a most important point. In Germany it is drawn much lower, with the result that our whole social life has a much more democratic character than the English.

" To crown this singular and wonderful English State-machine, there now took shape, little by little, a genuine and actual government—the Cabinet made up of the King's official advisers. These became also the advisers of the Parliament, and so there came into being a Cabinet Government, which, even at the present day, is not so much as alluded to in the law of the land. The law recognises Her Majesty's Privy Council, to which the members of the Cabinet properly belong ; but nowhere is it laid down that this Council should be the supreme governing body. This Cabinet is composed of the leaders of the parliamentary majority. It may be described, in fact, as a committee of this majority. Its office, therefore, is not simply to represent the Government. The government is in the hands of the Parliament. The ministers sit, as peers or as commoners, on the front bench of one of the two Houses. Those of them who are peers must only speak in the Upper House ; those of them who are commoners must only speak in the Lower House.

" What a complete contrast to the state of things with us ! Only try to imagine Prince Bismarck precluded from ever speaking in the House of Representatives because he was a member of the Upper House. In England, however, no one may speak in the House of Commons, except he be a member of the House. Such an institution as that of our

Government representatives (*Regierungscommissäre*) would thus be impossible in England. This shows very clearly the entirely different relation of the Civil Service to the Parliament in England and Germany respectively. In Germany the Civil Service is an independent administrative body composed of servants of the King, who come before Parliament and speak in the name of the Government. In England the Civil Service is subordinate to Parliament. Any civil servant may be summoned before the bar of the Upper or the Lower House.

" All this does indeed show a marvellous form of State, but one as little democratic as the House of Commons is a democratic national assembly. One is always astonished to hear the English House of Commons described as a national assembly. Up to 1832 not a single member of it owed his seat to the free choice of the people. Not only had every great peer a number of constituencies, of which he disposed as he liked. Even in the large towns, in which the corporations made up their numbers by co-optation (just as in Germany in the eighteenth century), only a small number of the town councillors had the full parliamentary vote. Thus, in Portsmouth, which before the first Reform Bill was already a town of nearly a hundred thousand inhabitants, there were about sixteen parliamentary voters.

" It is absurd to regard such a Lower House as a national assembly. The merits that it possessed were of quite another nature. The purely aristocratic character of the House rendered it possible for the nobility to introduce its younger members to parliamentary life at an early age ; and this made it possible for the younger Pitt to become Prime Minister at the age of twenty-three. Thus the ruling aristocracy were able themselves to educate their political posterity. So does the Prussian Civil Service educate its posterity by getting them appointed as Referendars. But with us it is the Civil Service which undertakes this political education of youth ; in England it is the Parliament. It stands to reason that, in England, no one can hope to main-

tain his influence in the Government for any length of time, unless he have a majority in his favour in both Houses. And yet, in such an eminently aristocratic State as this, the Continent has been able to find a sort of hash of democracy, aristocracy, and monarchy. The truth is that there is not a trace of democracy, only the shadow of monarchy, and, in fact, nothing but a well-ordered and powerful aristocracy.

"Of course, if we look more closely at these political conditions, it would not do to apply the standards of a moral censor. Such a peculiarly aristocratic Parliament could only be persuaded by two means, and both were often employed simultaneously by the same Cabinet. Either a man had to establish an intellectual supremacy over Parliament (hence the enormous power of the great orators of the House of Commons); or else, as Robert Walpole said, he had 'to grease the wheels of the parliamentary machine.' Enormous bribes were necessary in order to secure the maintenance of a majority, and this practice was regularly incorporated into the parliamentary system; so that, even at the present day, one of the Secretaries of the Treasury bears the picturesque title of Patronage Secretary. If it had not been possible to rely on this method of milking the cow of the State, such an aristocratic *régime* could not possibly have continued, and few people know how calmly the English themselves allude to it. There is a characteristic English verse, the gist of which is: Other States govern by the stern force of the law; but with us the State is held together by the gentle bonds of friendship. To live under such conditions may be very pleasant; but it is absurd to hold it up as an example to the stern justice of the German State. Moreover, in Germany, we fill up subordinate positions with retired non-commissioned officers (*Unteroffizieren*), that is to say, with men who have already rendered their modest service to the State. Surely, this is acting more justly than the English, who allow such positions to be given to the lackeys and servants of the peerage.

"So the old English State, with its marvellous internal mechanism, moved on its way; not a wheel could be removed from the machine, without bringing it to a standstill. But, gradually, after the close of the eighteenth century, we begin to see the rise of the middle classes. We see the development of the great industries, with their new social classes and their entirely new interests. Finally, these begin to knock at the gates of Parliament. The younger Pitt perceived very early the importance of these new social developments. At the beginning of the French revolution he was on the point of making such a reform in the suffrage as would bring about that at least a portion of the House of Commons should consist of national representatives. Then came the great struggle against France, which taxed all the forces of England; and Pitt had to postpone his plans for Reform. So long years went by. The old order persisted, until finally, at the time of the July Revolution, the social movement had become so strong that a change was inevitable. The democratic forces had become so powerful that they necessarily asked for a few representatives in Parliament. In the year 1832 the first Reform Bill was carried, and it has since been followed by three others. The number of the voters was doubled, and in about half the electoral districts the casting vote lay with the middle classes." [1]

When we compare this English parliamentary system with the constitution of the German Empire it is obvious that English party government would be impossible in Germany:—

"If we consider our Reichstag as it exists to-day, how absurd it seems to think of setting up in Germany a system of party government! In the first place, it is in contradiction with the whole imperial constitution. Our Imperial Chancellor, the sole responsible official, has only to execute the decrees of the Federal Council (*Bundesrath*), the members

[1] *Politik*, ii. pp. 135-43.

of which are the representatives of the twenty-five governments. He is thus obliged to support opinions with which he may be sometimes entirely out of sympathy. These opinions from the twenty-five Crowns are put before the Reichstag. The imperial constitution further provides that no member of the Federal Council may be a member of the Reichstag. On the other hand, the heads of all the great departments of the imperial administration are, *ipso jure*, members of the Federal Council. Hence the nature of the constitution renders a parliamentary government impossible. I hope that you will meditate over these things a little in silence, so that you may convince yourselves that there is an absolute contradiction in the idea of wishing to mould German conditions to an English pattern. We have all reason to congratulate ourselves that we do possess a vigorous monarchical Civil Service, which, in virtue of its own services, of its social position and also of the authority of the Crown, has a real and absolute importance. We have no ground whatever for wishing that it should be otherwise." [1]

§ 4. *Monarchy*

We have already, in a previous chapter (Chap. V.), found Treitschke contending that a constitutional monarchy is the form of State best suited to Prussia. In the *Politik* he goes further and, forgetting his own doctrine of the relativity of constitutions, argues that such a monarchy is the ideal form of constitution. Not even content with this, he maintains that the monarch, as being " legitimate," a ruler by hereditary right, is and ought to be irresponsible for the exercise of his very considerable powers :—

" On the other hand, the idea of a monarchy is opposed to that of a Republic. While in a Republic the will of the State is an expression of the will of the people, in a monarchy the will of the State is an expression of the will of one man,

[1] *Politik*, ii. pp. 162-3.

who, by virtue of the historic right of a certain family, wears the crown, and with whom, though he may have advisers possessing a greater or less degree of authority, the ultimate decision always rests. It would be idle here to trifle with illustrations. The essence of monarchy is the idea that nothing can be done contrary to the will of the monarch. That is the minimum of monarchical power. We find ourselves, then, confronted with the contrast between unity and plurality; and that the monarchy excels any other form of government as a visible expression of the political power and unity of a nation is proved by long experience. It is for this reason that monarchy seems so natural, and that it makes such an appeal to the popular understanding. We Germans had an experience of this in the first years of our new empire. How wonderfully the idea of a united fatherland was embodied for us in the person of the venerable Emperor! How much it meant to us that we could feel once more: This man is Germany; there is no gainsaying it!

"A second important feature of a monarchy is that the will of the State is represented by one single individual. What is more important, this authority is not transmitted, but rests on its own right. To borrow a scholastic expression, we may speak of the self-dependence of the monarchical authority. The power of a monarchy is inherent in itself, and it is due to this fact that a monarchy can and does exercise a higher social justice than any republican form of government. It is much more difficult for a republic to be just; because in a republic there is always party government. We actually see in history that monarchies have always shown more justice than republics. It is not hatred of the monarchy, but hatred of a higher social class which unites the masses in social revolutions. It is indeed to the monarch that the masses will appeal to restrict the power of individuals. A king who is a king indeed stands so high above all private concerns that he can look down, as from a high altitude, upon the various classes and parties. The

French who, in their great days, had a very deep and earnest conception of the monarchy, had the legal rule that, at the moment that he ascended the throne, the king incurred a loss of status in the eyes of private law. His private estate fell in to the Crown." [1]

A monarch, Treitschke says, is the best head of a State ; because under him all power is concentrated in the hands of one person, and that person is above all parties. The monarch is normally supported by the aristocracy, because he represents the hereditary principle ; and at the same time he normally becomes the protector of the masses. His exalted position gives him a wider mental horizon than that of ordinary men. He will understand foreign politics better than any republican cabinet ; and he will also be more far-sighted. " The policy of Prussia before 1866 could only have been carried through by a great king and a great minister. We were a small house, in Freiburg there were five of us, who held by Bismarck in those days. That is the public opinion which is supposed to have supported Bismarck." [2] A dynasty has political traditions which are in the blood ; and so its policy will be consistent from generation to generation. There are special dangers in the hereditary principle ; but it is a mere superstition that election finds out better rulers. American Presidents, on the average, are no more remarkable than the Hohenzollern Kings of Prussia. And the parvenu, however able, has no political traditions to steady him. Monarchy gives us the best chance of seeing a great individuality at the head of the State :—

" Throughout history the essential thing in a monarchy is the living power of personality. Monarchy is based on the profound theory, ridiculed by all the Liberal word-mongers of the present day, that men make history. Any one, then, who imagines that perpetual motion, which

[1] *Politik*, ii. pp. 52-4. [2] *Ibid.* p. 56.

is inconceivable in the physical world, can exist in the spiritual world, will have republican instincts, and will imagine that things have been brought about automatically. Any one, on the contrary, who starts with the assumption that it is strength of will and strength of personality which impel history forwards, will be in favour of a monarchical form of government. Gervinus is the chief representative of the idea that public opinion or universal conditions evolved themselves without assistance, and that these alone moved events forwards. Some even pushed this folly so far as to maintain that it was a sign of the strength of a movement, if it originated from the people, and if no distinguished individual had taken part in it.[1] This was, on the contrary, the very reason why nothing came of it. The more deeply we study history the more firmly shall we become convinced that it is an academic abstraction to speak of an evolution of circumstances. The power of personality must be involved. We must not try to construct history. What is described by subsequent generations as a historic necessity was a combination of favourable and unfavourable circumstances; but there must always have been first the men who could take the thing in hand. I should be very far from wishing to depreciate the efforts of economic history, but they only take into consideration one side of history. And if the impression is conveyed that events take place of themselves, the historian is led astray.

"The monarchical State is based on the idea that it is the conscious will of individuals which makes history, and not the mysterious brainless power of public opinion. The significance of personality — of that incalculable force, which cannot be subdued by any human art—is greater in monarchical history than in any other form of State. Frederick the Great said: 'A monarchy is the best or worst of all forms of State, according to the personality of the monarch.' That is exaggerated, but it contains a profound truth. Infinitely much depends on the personality of the

[1] Cf. *Deutsche Geschichte*, v. 340.

ruler. Less depends on the possession by the ruler of some exceptional talent. That is always a good fortune, but it is not absolutely necessary. The important thing is the capacity to take a just view of things." [1]

Finally, the existence of a monarchy is useful, because it puts the highest positions of authority out of the reach of adventurers; and because no one is jealous of the King's supremacy; it is no stigma to serve, in the army or elsewhere, as the subordinate of a hereditary ruler.

Still Treitschke admits that such a monarchy, admirable as it is, could not flourish in every State. If it is to succeed there must be public confidence in the dynasty, and in the monarchical form of government; the dynasty also must be capable of discharging its high responsibilities with credit. There must be a sound parliamentary system, but parliament must not be so strong that it can prevent the monarch from exercising his veto upon legislation, from choosing his ministers without regard to party considerations, and from shaping the policy of the State.[2]

Of despotisms based upon the popular suffrage Treitschke says little in the *Politik* which he had not already said in the essay upon Bonapartism. But he makes the generalisation that such a despotism is always a mere half-way house to a more constitutional form of government, if it is established in a progressive country:—

"For suppose an absolute monarchy of a good kind, an enlightened despotism; suppose that the man at the head of it, with his extraordinary powers, is there only to promote the welfare of the people with greater energy—even so the necessity will soon appear of governing not only for the people, but through the people, of allowing the population some sort of share in the government of the State. The golden age of absolutism is therefore short. This we can see in the case of Prussia." [3]

[1] *Politik*, ii. pp. 59-60. [2] *Ibid.* pp. 160-67. [3] *Ibid.* pp. 107-8.

He points out that the older absolutist monarchies, such as that of France under Louis XIV. or of Prussia under Frederick the Great, were much weaker in fact than a modern constitutional State, for instance in the point of ability to impose taxation. And the whole weight of opposition to such a government is directed against the person of the ruler. Even a Bonaparte could only maintain his prestige by great feats in war and an imposing domestic policy. In the Bonapartist State the ruler depends in the last resort on his good luck; Loyalty and Law count for nothing.[1] Sooner or later the Bonapartist system must give way to a republic.

§ 5. *Democracy and Popular Liberties*

What Treitschke has to say about democracy mainly takes the form of a destructive criticism. In his eyes the typical democracy is that which revolutionary France extolled as the ideal constitution; a democracy founded on the dogma of Equality, in which there is manhood suffrage, and the policy of the government veers and shifts with the whims of the majority. Such a constitution makes a strong appeal to the imagination of the average man, but is wholly unpractical:—

"Just as a theocracy is the most torpid, a monarchy the most many-sided, and an aristocracy the most systematised of the various forms of government, democracy is the most popular and the most universally comprehensible. The fundamental conception on which it rests is the idea of the natural equality of all creatures wearing the likeness of man. This idea has a certain sublimity, and it is not surprising that it often exercises such an intoxicating effect. We know very well that it is only half true; that it can never quite be realised; yet it is rooted deep in human nature. That the idea of inequality is just as true, that, though we are all equal when regarded as human beings, we are all unequal

[1] *Politik*, ii. pp. 202-6.

when regarded as individuals, is not intelligible to the vulgar understanding. The vulgar understanding conceives an absolute equality. At a certain stage of national civilisation a democracy may assist the progress of culture. Sufficiently well carried out, it is the most popular form of State, and, in countries where it prevails, will be taken so much as a matter of course that any other form of government will be regarded as an absurdity or else as a brutal despotism. But however different the character it may assume under varying social conditions, it must, by its very nature, always retain one feature, namely, that its ideal is the δῆμος μόναρχος. The people must be the absolute monarch, and the rights of the people must be extended, until finally an absolute equality is reached, at any rate on paper. That is the goal of democracy." [1]

It goes without saying that this extreme democracy is foredoomed to failure. The outward forms of it may be kept for a considerable time, but only when they serve as a disguise for the rule of an aristocracy or a plutocracy :—

"Artificial democracies are comparatively frequent as compared with artificial monarchies and aristocracies. A nobility cannot be manufactured if it does not exist already, and it is equally impossible to call into existence a dynasty at will. On the other hand, it is quite possible that an over-precipitate revolution may introduce democratic forms, where they can have no natural basis in the national customs nor in the prevailing inequality of social relations. And these democratic forms may continue, because they are very elastic, and because they are quite compatible with an aristocratic element. This is what we see at the present day in Berne. Or consider present-day France. Under a purely democratic constitution, we find, in point of fact, a consummate plutocracy, the oligarchic power of a few great banking-houses, which quietly avail themselves of

[1] *Politik*, ii. pp. 249-50.

democratic institutions, in order to exploit them for their own purposes." [1]

He admits that there are exceptional cases in which an extreme democracy shows some vitality: small city-states like ancient Athens and medieval Florence; modern county-states, like Switzerland before the age of railways, in which there are no great contrasts of wealth and poverty. A democracy may be relatively stable if the citizens have a profound respect for the law, or if they are by nature conservative; and democracies naturally incline to conservatism:—

"The reproach of an excessive instability is by no means invariably applicable to a democracy. It may happen that an urban democracy is characterised by a certain restlessness, both because it lacks a strong public service, and because a class of professional politicians, with inherited political traditions, is formed with difficulty in a democracy. And where these elements are missing, the incalculable caprice of accident or fortune may, of course, produce an excessive instability. On the whole, however, the remark of a French historian has always proved true: that there is nothing less liberal than the people. The people is peculiarly susceptible to every kind of direct and unsophisticated emotion, both good and bad. It may be carried away by clever demagogues, but, as a rule, it clings to the old things from sheer force of habit. We are not justified in speaking unreservedly of the restless instability of a democracy. In genuine democracies there are very apt to spring up party-antagonisms, which are handed down from generation to generation; and, owing to the indifferent education of the electors, certain catchwords may acquire a magic effect, and may continue to operate through generations. Switzerland may be described as the most conservative as well as the most parsimonious country in Europe. If we

[1] *Politik*, ii. pp. 251-2.

consider the seven cantons of the Federation, we are astonished when we realise that it was here that the Borromäus League was concluded in 1586, for the glory of the Catholic Church. Nor could it be said of the Americans that they are radical in their politics, though they are radical in their social life. On the other hand, certain democratic principles are guarded with a reverence, which would be impossible in the more turbulent civilisation of the Old World. Such ideas as that of the infallibility of the voice of the people persist with a vigorous tenacity. But the populace in New York is arch-reactionary, and a barrier in the way of all far-reaching reform. It concluded with the Tammany ring a compact of reciprocal connivance, for it feels perfectly happy under the thumb of the brothel-keeper.

"In spite of the conservative disposition of the people at large, it cannot be denied that the influence of political demagogues, who know how to flatter the mob and work on its feelings, may be a great danger in a democracy. The average demagogue, too, stands on a lower moral plane than the court-flatterer. A man who lavishes extravagant praise on the virtues of a prince, may actually believe in those virtues; but a demagogue, when he flatters the populace, knows that the real intelligence of the people resides in their horny fists; and he lies knowingly. That is why demagogues are among the most repulsive figures in political history. Especially contemptible is their hypocrisy. In fact, the most endurable are the brutal blusterers like Danton, whose bloodthirsty vociferations at least smacked of nature. He is himself a beast, and therefore strives to wake the beast in others. On the other hand, what hypocrisy we find in Robespierre! Yet he was extremely popular. Every woman of the market-halls was prepared to take her oath that he was a paragon of all the virtues. Such natures have the power to utterly confuse the course of statesmanship; and their influence on the nerves of an excitable people may give rise to incalculable decisions."[1]

[1] *Politik*, ii. pp. 264-5.

But these conservative democracies only prove how easily men may be misled by catchwords. They arise because the citizens are under the delusion that equality means true liberty, and that there is something divine in the opinion of the majority. They are only able to survive while they can dispense with a large standing army—an army is always monarchical—with an efficient Civil Service, and with centralised government :—

" The organisation of the Civil Service and the army presents peculiar difficulties in a Republic. The United States, for instance, are not in a position to set up a good and responsible Civil Service, because the very name of politics has with them acquired an evil significance, just as at one time in Germany the word ' political ' (*politisch*) implied much the same as ' Machiavellian.' In the United States, therefore, the State cannot assume as many responsibilities as it can in Germany. Great social legislation is impossible, because the best elements of society move outside the sphere of the State. As a result, the service of the State loses its halo and its dignity ; and this fact alone accounts for the difficulty experienced in the matter of the supreme power. In connection with this, there is a further question, a terribly difficult question in every Republic, namely, how the supreme power is to be organised. A single man, elected by the popular vote, like Louis Napoleon in France in 1848, has such an enormous power that republican institutions can scarcely offer any resistance to it. Napoleon could truthfully say to the National Assembly : ' I alone have more votes behind me than all of you together.' What anxious deliberation was given to the question of founding the presidentship of the modern French Republic. It was felt that there must be one man at the head, but that he must not be too powerful. He must, therefore, be chosen, not by the all-powerful people, but by the Parliament, that is to say, by a matter of a few hundred votes. And then was added the amusing

inconsistency to which I have already referred, namely, that this President was not himself held responsible for his actions as President, with the single exceptions of a *coup d'état* or a breach of the constitution ; but he was to govern through the medium of responsible ministers.

" In the United States, where the Republic has been taken very seriously, the President is at the same time an official, who must accept responsibility for the actions of himself and his ministers. Advisers cannot, therefore, be forced on him against his will, as they can be under certain circumstances on a monarch, who is *not* responsible. Government by parliament, therefore, is rendered quite impossible. The American President, just because he is responsible, is a far more powerful man than a King of England. It must be remembered in this connection that the first colonists in New England had a very long monarchical past behind them. Thence originated the custom of placing a single official—a governor—at the head of every colony. This governor became later on a mere official of the Republic. Thus the occupation of the highest positions by one man became the rule, and, as a logical consequence, one President was placed at the head of the whole Union. The danger of his great power is diminished, in the first place by the fact that he is placed over a Federal State, and, in the second place, by the fact that the sphere of his activity is very much restricted. Foreign policy, the coinage, and the Post Office constitute the whole extent of his activities. Therefore, in spite of this apparent power, he cannot really become a danger to the Democracy. The powers of the Governors are also very limited, because the individual State has very little governing power, and its life is in fact more like that of a free community.

" Under different circumstances, however—for instance, in a centralised State like France—the power of a single ruler may present a serious danger to the democratic republic. On the other hand, the appointment of a Committee at the

head of a Democracy involves the danger that the Government itself may be split up into parties, which will be at war with one another. An instructive instance of a Government by Committee is presented in the Directory of the French Revolution days, which came to an end with the 18th Brumaire. Such a despicable Government as this Directory has seldom been seen in history. The ancient customs of the State also count for a great deal in this question. In Switzerland, for instance, ever since she has been a Confederation, government by Council has been the rule ; and many party differences have here been quietly overcome for the sake of peace." [1]

Treitschke notices, however, that in a Federal State democracy seems to be comparatively efficient, and that it makes the smooth working of the Federal government an easier matter to secure. Switzerland and the United States have been the most successful of Federal States just because they are composed of democratic communities ; whereas in a monarchical federation, like the German Empire, the monarchies of the constituent States feel that their dignity and power are impaired by the union.

These observations do not carry us very far towards solving the question : What is the right amount of influence to give the people in a well-ordered State ? Roughly, Treitschke accepts the rule of Aristotle, that the people should be allowed to criticise, but not to originate measures. No laws should be made without their approval (expressed through a representative body), and they should have the power of arraigning the heads of executive departments for illegality—though, in a monarchy, this power should not be applicable to the King, but only to his Ministers. But, like Burke, Treitschke holds that good government is only possible when the people leave a considerable discretion to their representatives ; and he uses the word representatives in a wide sense, to cover both a constitutional king and

[1] *Politik*, ii. pp. 276-8.

a permanent official. He thinks that it would be disastrous if the people or the popular assembly should push the right of criticism to the point of obstructing the executive in its daily work (as, for instance, by refusing supplies). The people should have patience ; they should give a fair trial to a policy which it is their first inclination to reject.

He does not attach importance to the old specifics by which political theorists had imagined that the liberties of the subject could be guaranteed. He values trial by jury, for instance, simply as an institution which, if reformed, might lead to the better execution of criminal justice :—

" Trial by jury has greatly developed in England since the thirteenth century. It is closely interwoven with the customs of the nation, and is looked upon as a corner-stone of English freedom. Two important factors have contributed to this end : in the first place, the peculiarly exalted social and economic position of the English Bench. There are only a handful of judges, but they enjoy a princely esteem. They travel about the country and hold trials by jury, and the legal instruction which they impart to the jury has an immense influence. The extent of their power is very great. The presiding judge can send back the jury to the consultation-chamber without ceremony, if they have found a verdict which he considers absurd. On the other hand, the presiding judge is in England compelled to practise the self-restraint which befits the dignity of his office ; whereas in France the judge attacks the accused as if he were an enemy, and uses every endeavour to extort from him a confession of guilt, a proceeding wholly inconsistent with the disinterestedness proper to a judge.

" That unanimity is required of the jury in England is due first and foremost to this far-reaching authority of the judge, whereas in France, though the English trial by jury was adopted there after the Revolution, verdicts were admitted which had been carried by a majority only. Here it is quite certain that the English practice is

the only just one. The verdict of a majority is just as little conclusive in a question of the guilt or innocence of a prisoner as it would be in the case of a religious or a scientific problem. The question : ' Did A murder B ? ' cannot be decided by the vote of a majority. The demand for unanimity, despite its rigour, is on the whole fully justified. It may afford an illustration of the dynamic influence of character. How often it happens that a single juryman decides those who are wavering, because he is inwardly convinced of the justice of his opinion ! The English have clung to this principle up to the present day, with an energy which does them honour. In Germany, on the contrary, we have far too much regard for the moral cowardice which plays such an important part in the system of trial by jury. Many men are only too pleased to let themselves be out-voted. Such natures are to be found everywhere, and especially among the class of people who call themselves liberal-minded. With us, these liberal-minded individuals are just the type of men who will let themselves be out-voted. The juryman is particularly exposed to this moral temptation to say 'No!' in the silent hope of being out-voted. Hence the rigorous English practice of unanimity is entirely to be commended.

" It has been these two considerations—the powerful influence of a highly esteemed Bench of Judges on the lay assessors, and the principle of unanimity, which have ensured the traditional respect enjoyed by the English trial by jury. We Germans, unfortunately, have not adopted this institution directly from England, but only a distorted copy of it through France. We have endeavoured to adapt it to some extent to our own conditions ; and we are beginning to forsake the French model, and to work out a procedure for ourselves in criminal cases, which will be more in accordance with English methods. We have also come to realise that it is not a matter of political freedom that we have to do with here. Honest men can only remember with shame that the old-fashioned German Liberalism even adjudged to the jury a right to suspend the law.

"The only question is whether the co-operation of the layman is necessary or dangerous to the course of justice. The arguments in support of co-operation are at once apparent. The opinion of the average man is that, if laymen co-operate in a judicial decision, the verdict is more likely to be a fair one; and, further, that the finding of a verdict necessitates a certain practical experience of life, which a judge is very apt to lose. That is undeniably a bright side of the system. But it has another and a very dark side. In the first place, the jury are over-susceptible to the promptings of the emotions; and, in the second place, there is the danger of insufficient knowledge. As far as the first point is concerned, it is not correct to assert that jurymen are on the whole more inclined to give an acquittal than a learned judge. In the majority of cases this is true, but there will always be some cases in which the jury are too severe in their judgments, because they feel themselves threatened in their social relations. The Social Democrats are, in particular, likely to be the victims of this tendency. Think of the famous Socialist case of 1870. In this case, the Social Democrats were condemned without any real proof. This would scarcely have been done by a learned body of judges; but laymen, confronted with such a party, and trembling for their own purses, feel their own party prejudices rise up." [1]

"On the whole, we are brought to the conclusion that the present form of co-operation of the jury in criminal justice is not very satisfactory. In one respect, too much power is given them, and in another too little. The jury alone decide the nature of the offence and the prisoner's guilt or innocence; but, in the apportioning of the punishment, they have no voice. This must be fixed by the learned judge. So what ought to be one process is divided into two. In practice, an attempt is made to compensate for this by giving the Judge very far-reaching powers of instructing the jury concerning the law, so that in this way

[1] *Politik*, ii. pp. 437-40.

he has some power to influence the verdict on the nature of the offence and the prisoner's guilt or innocence. The fact remains that the co-operation of the jury extends at once too far and not far enough, and, on the whole, it is obvious that our present mode of procedure in criminal cases is quite unsound ; that in every way it is only a provisional arrangement without any guiding principle. This question first came up when the regulations were made which are still in force. They are the result of various parliamentary compromises. We have but to recollect the part played by Lasker's proposals. It is only serious offences that are tried with the co-operation of a jury. The majority of minor offences are judged by the Provincial Court (*Landgericht*), by a purely learned Bench, without any lay co-operation. Again, in the case of quite small transgressions, we have a single Justice, and in addition, to avoid the establishment of a despotism, a number of unpaid assessors. That is a purely provisional arrangement. There is no reason why the majority of offences of the middle class should be judged without, and the heavy and light offences with, the co-operation of the layman.

" We shall finally adopt everywhere a form of trial by judge and jury, in which the practical experience of the judge shall co-operate in the decision on the nature of the offence and the guilt or innocence of the accused. But, on the other hand, the laymen shall have a voice in the apportioning of the punishment. There is no fear that these lay assessors will allow themselves to be browbeaten by the judge. Experience has shown that the opposite is generally the case, and that they exhibit a very healthy and stubborn (sometimes too stubborn) self-reliance. But, if these lay assessors unite in consultation with the judges, their activity will be kept within the normal. In their deliberations they will associate with the judges on an equal footing ; not as one authority pitted against another. This may lead to a mutual interchange of benefits ; the judge contributing his learning and his knowledge of law, and

the layman his knowledge of the world and his practical experience; and in this way the layman will co-operate in the apportioning of the punishment. The superiority of technical knowledge will, however, undoubtedly show itself in the consultation chamber, even if in these courts the number of laymen slightly exceeds that of the Judges." [1]

His own pet safeguard of liberty is, as we have already seen (Chap. V.), a system of local self-government. But in the *Politik*, which represents his final attitude on this subject, we find that this self-government is not to give the average man much scope for educating himself in practical politics, or for shaping the destinies of his own neighbourhood. Local government, we are told, must be either aristocratic or bureaucratic; and in some respects a bureaucratic system will more nearly correspond to the ideal which the average citizen has before his eyes :—

"It is only natural that all local government should be aristocratic in character. It is impossible to entrust to the masses as such those official functions which are performed by the citizen and the landowner. It is quite natural that these functions should be entrusted to the more powerful and influential citizens. To be sure, the border-line with us is always placed very low; but local government must always by its very nature be aristocratic. That is why the extreme Radical parties have very little taste for it. It is also apparent from this fact that universal suffrage is absurd in the case of municipal elections. The result of universal suffrage would be that the classes which now control the administration would be completely thrust into the background. If, however, such a system is irrational in the case of a municipality, it cannot be good for the State. The immense advantage of all local government is that, by its means, the sense of personal responsibility, and a certain

[1] *Politik*, ii. pp. 443-5.

measure (if only a small measure) of practical knowledge of politics is propagated over a widening circle. Where, as in France, there is no true local government, the citizen only confronts the State as a critic. Honest peasants and citizens, by collaborating in local administration, are able to realise something of the difficulty of governing and of the responsibility of those whose task it is to govern. In fact, a man who is not a government official can, as a rule, only acquire a practical knowledge of politics in this practical school of local government.

"The dark side of local government is that it appeals to the social selfishness of the ruling classes. The danger of social injustice arises; the danger that the special interests of the class which controls the local government will be too exclusively favoured. The average government official will often err through ignorance of the facts of a situation. But, on the other hand, he has no class interests to serve in his relations to the great social powers. He will preserve the authority of the government; he feels himself a part of it; and, moreover, our German Civil Service is composed of elements so various in class and culture that we may safely predict that, in the generality of cases, this monarchical Civil Service will avoid a social injustice. Why should a civil servant in Germany prefer a nobleman before a labourer? Local Government, however, is controlled by the influential, land-owning classes. Hence it is natural that the ordinary man should place his trust in a Police Superintendent (*Amtsvorsteher*) rather than in a royal Sub-Prefect (*Landrath*). This is the danger of all local government. It is this that has caused the downfall of the proud English institution of Justices of the Peace. It had become too exclusively aristocratic. The ordinary man felt that he could no longer get justice against any one of exalted position from these aristocratic Justices of the Peace. So at the present day this institution scarcely exists, more than in name, in England.

"A second defect of local government is the danger of

dilettantism. We may count on a government civil service having at least a theoretical knowledge of its business; but in local government there is always the danger of amateurishness and of a crude naturalism. That is the reason why the people, who invariably consider the material side of things, are so prejudiced against local government. The genuine Manchester man, who believes that we are all solely destined to buy cheap and sell dear, argues quite correctly from this hypothesis that the government civil service would manage the affairs of local administration much better than these local government officials; and, technically, there is much to be said for this point of view. It cannot be denied that such a bureaucrat as Baron Haussman under Napoleon III. may technically render very important services, and that this energetic man's organisation of the Paris streets was executed with a skill and a rapidity which would have been impossible to a wrangling Municipal Council. But the most important question at issue here—a question at once moral and political—is the political education of the nation. There can be no doubt that the habitual administration of everyday business has had a very educative effect on the German people. For the exercise of parliamentary activity a certain theoretical knowledge is especially needed; but, with us, the great political force of the nation has been found in those men who, in the towns and in the country, have acquired a real acquaintance with practical conditions." [1]

In 1888 the English Parliament sanctioned a new type of local self-government, of which the characteristic organ was the County Council elected by the ratepayers. This was an attempt to do what Treitschke had pronounced impossible, to make local government really democratic. But he would not admit that the problem had been solved; these local parliaments did none of the work of administration, which was left to paid officials. The County Council

[1] *Politik*, ii. pp. 493-5.

only served to conceal another step in the direction of bureaucracy :—

" Such a council has no real and vital authority. We have here the beginning of a new and far more democratic, but at the same time far more unemancipated period of English administration. An administration which does not actively administer is indeed one only in name. England, then, in spite of her brilliant national history, may ultimately find herself endowed with a bureaucracy comparable to that of France. Experiences are still too recent to enable us to dogmatise on this point, but one thing we can assert : that the democratisation of England, which began with the Reform Bill of 1832, was enormously accelerated by the institution of the County Councils ; and, in view of the very limited outlook of English Radicalism, it is impossible to say what the future may not bring. Appearances are not favourable, but they are very instructive, for they prove that democracy and freedom are not identical, but very often antitheses.

" It is manifestly the example of the French that has influenced England in this matter. Otherwise, English history is thoroughly insular ; though, since the middle of this century, it has developed in ways which point to a continental—and especially a French—influence. It is as certain as that the Reform Bill would never have been passed without the July Revolution that certain bureaucratic notions, which have found their way into England, had their origin in France. France has a system of local government which, judged by our German notions, is wholly unworthy of the name. We may illustrate the position by pointing out that here Germany, as so often happens, occupies a middle place between France and England. In England some time ago the Civil Service was entirely excluded from all but the most important offices ; France has its bureaucracy, with a semblance of local government ; Germany, on the other hand, has a combination of state civil servants and of local self-government, which is in

conformity with our actual conditions, and the value of which had been proved in practice." [1]

But the system which he preferred, the system of the Prussian municipality, bears a strong resemblance in principle to the English scheme of 1888. In both there is a representative element and an expert element; the main difference seems to be that the Prussian system leaves the municipality a large sphere of action over which the central government has little or no control:—

"It is Germany's pride that no other country has attacked the problem of local government with such intelligence as herself. In the Middle Ages the civic freedom of the towns developed to extravagant proportions. Some of our towns were subject to the Emperor alone, which meant that they exercised all the functions of an independent executive. This led to a period of remarkable prosperity for the German towns; and it may be seriously questioned whether the magnificent development of the municipal police at the end of the Middle Ages is to be considered as the supreme achievement of the old communal life or as the beginning of the modern State. Either view is in a certain sense justified. The authorities in these little autonomous communities began to exhibit in all directions a consciousness of their educational responsibilities, and to display such a many-sided activity as had never before entered into the natural economy of the State. Then came the reaction. The old French saying, which had already been proved true in France at the time when it originated, proved true in the case of the imperial towns. By striving for too great a freedom we fall into too base a slavery. The new strength of the modern State could not tolerate the existence of such autonomous communities. So there began a time of oppression; and in the eighteenth century we see the once flourishing German towns become completely torpid

[1] *Politik*, ii. pp. 500-502.

and paralysed. The wretched conditions of our decaying imperial towns in Germany, the *geniessenden Familien* of Nuremberg, only find a counterpart in England. Then Frederick William I. laid in Prussia the foundations of such a new freedom as he himself neither dreamed of nor desired. Nothing lay further from his thoughts than the intention of giving greater freedom to the Prussian towns. His first object was to establish order. He sent his royal functionaries to make a thorough investigation of municipal affairs and to do away with nepotism; and it was these reorganised municipalities which afterwards showed the greatest readiness to come under the new laws for municipal government, because in these towns, at any rate, an external order and justice had been restored.

"These new Prussian municipal statutes were the work of that great man, of whom my teacher, Dahlmann, remarked that he was, in a deeper sense than King Henry the Fowler, the builder of German cities — Baron vom Stein. The magnificent prosperity of the German municipalities in the nineteenth century is beyond dispute. This striking development is essentially the result of freedom, of a genuine self-government under a monarchical control. The sureness of intuition by which Baron vom Stein discovered the point at which pressure must be applied is only another evidence of his practical genius. It was impossible at that time to begin by reorganising the rural communes (*Landgemeinden*) and circles (*Kreise*), because the emancipation of the peasantry had then only just begun; and these newly emancipated serfs still regarded their former lords so mistrustfully, that any co-operation on their part was practically out of the question. In the towns there were not the same harsh social contrasts; but, even in the towns, it needed the hard apprenticeship of the War of Independence before the collaboration of the citizens in the administration became fully practical. During the War of Independence in whole districts not a single Government official was to be found; all were fighting with the colours; and therefore the munici-

palities had to look after their own administration. On the whole, it may be said that Stein's plan was the right one, since either directly or indirectly it has ultimately been adopted by all the German municipalities. Before 1848 there was a regular cult of local government. In the thirties, municipal government was called Prussia's political bible; and the great towns vied with one another in the noble ambition to have the best government.

"Stein was entirely original in his work. He had only a few experiences in his County of Mark to work from.

"The principles of these municipal statutes of 1808 are the simplest conceivable. They start from the assumption that the town should have an absolute control over the administration of its own revenues, as well as over its police force for the purpose of public safety; and that these functions should be discharged through a co-operation of the magistrature with representatives of the town. The Town Council (*Stadtrath*) and the representatives participated directly in the administration by a system of committees and boards (*Korporationen*), and were not merely intended to be a court of appeal beside a Burgomaster. In organising the magistrature a very happy notion was hit upon—the combination of unpaid and paid officials. This combination has proved thoroughly workable. The conditions of the larger municipalities are so complex that they necessitate the employment of a regular staff of expert officials. One result followed, indeed, which the legislator had never anticipated. As a result of the ease of modern locomotion and of the constant traffic from one district to another, there developed inevitably a kind of vagrant municipal bureaucracy, such as Stein could never have foreseen. Consider our municipal notabilities: Herr von Forckenbeck was mayor of Elbing, then of Breslau, then of Berlin. That has become a common occurrence. If, however, we look at the actual results, we see that the existence of this vagrant municipal bureaucracy has not impaired that healthy spirit of citizenship which the exercise

of municipal administration has aroused in our nation. Every municipality has an individuality of its own, even though it may include a number of men who did not originally belong to it." [1]

This Prussian system has been highly praised by competent observers ; it may well serve as a training in practical politics, and as a field for the political ambitions of the ordinary man. Treitschke, however, does not seem to ask himself the very natural question whether it will always be possible to base the two halves of government on radically different principles ; to make self-government the rule in local politics, and paternal government the rule in national affairs. This contradiction existed in the Prussia that he knew. Did it follow that the contradiction would always be accepted as natural and necessary ? True he would tolerate free criticism of the central government, and only objected to giving the critics a weapon by which they could compel the Government to justify itself or else to yield. In this way he hoped to secure stability for the State. A less optimistic theorist might be inclined to ask whether such a system would not lead directly and inevitably to revolutions. A paternal government becomes too confident of its own wisdom ; a populace which is tired of merely airing its grievances becomes bitterly hostile to the Government.

[1] *Politik*, ii. pp. 509-12.

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CHAPTER X

TREITSCHKE ON ENGLISH HISTORY IN THE NINETEENTH CENTURY

TREITSCHKE'S *Deutsche Geschichte im Neunzehnten Jahrhundert* only extends to the year 1848, and covers the dullest period of German history in the century. None the less it is probably the best known, among German readers, of all the great histories written by German historians. It has taken, in Germany, the rank which forty years ago was held by Macaulay's *History* in England. There is no doubt that it has done a great deal towards shaping the current German view of the nineteenth century. It is therefore not uninteresting to put together some of the chief passages of the book which are devoted to English institutions and to English policy. They are the more significant because they were written before England and Germany had become open rivals for sea-power and colonies. They show that the policy pursued by Germany in the last fourteen years is the natural outcome of ambitions and resentments which were simmering in the minds of Prussian politicians as early as 1879, when Treitschke published his first volume. For the outlines of the German case against England are clearly sketched there. More striking still is the firm conviction that England had been decadent since 1832—a conviction which nothing ever seems to have shaken, though he admits that British power had grown enormously in the course of the nineteenth century. To the extracts from the *Geschichte* are added (§ 14) three from political essays of 1876-77;

these extracts deal principally with the question of Turkey, but incidentally with England's position as a world-power.

§ 1. *The Congress of Châtillon-sur-Seine, February 1814*

This Congress was held at a moment when the Allies believed that the way to Paris was open, and that they had only to decide what terms of peace should be imposed upon Napoleon. The Emperor was represented by Caulaincourt; the principal powers with whom France had to deal were Austria, Prussia, Russia, and England. Napoleon found the terms of the Allies too hard and broke off the negotiations. But the Conference had the effect of bringing the Allies more closely together; it was followed by the Treaty of Chaumont (March 9, 1814), in which they bound themselves not to treat separately with Napoleon:—

"At the very beginning of the Congress of Châtillon, England took advantage of the pecuniary embarrassments of her allies to effect a master-stroke of commercial policy. If there was any one of Napoleon's plans which was justified, it was certainly his struggle for the freedom of the sea. That balance of the powers, craved for by an exhausted world, was not secure, so long as one single State governed all the seas according to its own whim and fancy, and naval warfare, to the shame of humanity, still bore the character of a privileged piracy. Prussia and Russia, ever since the league of armed neutrality,[1] had always stood for the principles of a humane maritime law, which should not hamper the trade of the neutral countries. They hoped now to see these theories of Frederick and Catherine recognised by the unanimous decision of all Europe. England, however, felt

[1] The First Armed Neutrality was an alliance formed (Feb. 1780) between Russia (under Catherine II.), Sweden, and Denmark to maintain the rights of neutral vessels in time of war; it was subsequently joined by Frederick the Great of Prussia. The Second Armed Neutrality, a league between Russia, Prussia, Sweden, and Denmark, was formed in 1800 with the same object.

that this would threaten the very foundations of her power. Lord Cathcart [1] declared frankly : ' If we had ever admitted the principles of the Armed Neutrality, French trade would never have been overthrown, and Napoleon would be ruling over the world at the present day ' ; Great Britain would never admit any other law in regard to the sea than the general rules of international law. As it happened, other and very much more urgent questions were claiming the attention of the three continental powers just then ; moreover, all without exception lacked fresh supplies of money for the war ; and their rich ally was prepared to pay another five million pounds sterling. Thus England insisted in the first sitting, on the 5th of February, that there should be no debate on the question of maritime law. Caulaincourt [2] did not protest ; he had more pressing cares. Hence it was that, through all the long peace negotiations at Châtillon, Paris and Vienna, nothing was done to remove the foulest stain on modern international law ; and public opinion, blindly enthusiastic as it was for glorious Albion, found in this no cause for vexation.

" Once having started, Lord Castlereagh [3] attempted immediately to realise a second favourite ambition of British politics, and to secure for the Netherlands a sufficient complement of territory. No one protested, although it had already been resolved that all claims for indemnification were to be postponed until the conclusion of peace ; for no one could afford to quarrel with the great moneyed power ; and all were agreed concerning the European necessity of a united Netherland State. On the 15th of February, at the headquarters at Troyes, a draft of an agreement was put forward, providing that the old Dutch republic should be placed under the hereditary rule of the House of Orange and should be expanded to include Belgium, as well as a portion of the German bank of the Rhine with Cologne and Aix. Even

[1] British representative.
[2] The French representative at Châtillon.
[3] British representative at Châtillon.

Hardenberg [1] agreed to this in principle, only making a reservation in favour of the German north-west frontier; even he was unwilling that the Dutch should encroach quite so far upon purely German territory." [2]

§ 2. *The Character of Wellington*

The following character-sketch occurs in Treitschke's chapter on Waterloo, or, as he calls the battle, La Belle Alliance. Incidentally Treitsckhe appraises the strong and the weak points of the British "mercenary" army:—

"Wellington is one of those rare instances of men who, without creative power, almost without genius, have risen to the heights of historic fame merely through force of character, through power of will and self-control. Who would have prophesised a world-wide fame for this slow-witted boy, who was never really young, and whose brothers, Richard [3] and Henry,[4] far outshone him in talent? A son of one of those High Church Tory families, who had settled down as conquerors in Ireland, and, in the midst of the hostile Celts, preserved only the more inflexibly the pride of race and class, the manners and want of manners of the English mother-country—he had, in accordance with the old English aristocratic custom, rapidly passed through subordinate positions in the army by dint of money and influence, and, at the age of twenty-five, was in command of a regiment in the Revolutionary War. Next he learnt the art of governing in India, under the supervision of his brother Richard Wellesley, that gifted man who established the position of Great Britain as a great power in the East. Exacting with

[1] Prussian representative at Châtillon.

[2] *Deutsche Geschichte*, i. pp. 547-8.

[3] Richard Colley Wellesley, Marquis Wellesley (1760–1842). He was appointed Governor-General of India in 1797, and held this office until 1805. In 1809-1812 he was Minister for foreign affairs. In the years 1820–1828 he was Lord-Lieutenant of Ireland.

[4] Henry Wellesley, Baron Cowley, was the British Ambassador in Spain (1811–1822), at Vienna (1823–1831), and at Paris (1841–1846).

himself and with others, unswervingly obedient and devoted to duty, just and honourable, always cold, steadfast and intelligent, Arthur Wellesley proved himself completely equal to all the difficult military and political tasks imposed upon a military commander in India. With what boldness this prudent man, who carefully weighed every contingency in advance, could seize his luck at the right moment, was evidenced in the brilliant victory at Assaye [1] over a sixfold superior force of Hindus, and by the bold charge into the mountains of the Mahrattas. Returned to Europe, he took part in the notorious marauding expedition to Copenhagen, valiant and capable as ever, but also completely indifferent to the sad fate of the feeble opponent who had been so wantonly attacked. For never was a son of Britain so completely impregnated with the old-fashioned national idea: 'My country, right or wrong.' Subsequently he assumed the chief command in Portugal; filled from the outset with the calm confidence of victory, he remarked drily: 'I will hold my own.' The theatrical magnificence and pomp of the new French warfare made no impression on this cool intelligence. He never entertained any doubt concerning the ultimate downfall of Napoleon. During the six years of the Peninsular War he trained his mercenaries to a consummate skill in all the arts of old-fashioned warfare.

"He paid no attention to innovations and far-reaching reforms; he never rewarded a service; he never favoured a promotion from the ranks. He disliked self-reliant and active-minded generals, and, while his large-hearted brother Richard allowed an unrestricted freedom of action to gifted subordinates, Arthur employed merely reliable and efficient tools and showed a keen intuition in discovering them. His adjutants were for the most part young peers, who, mounted on the best horses in the world, punctually executed the orders of their commander, and obediently renounced any opinions of their own. He knew his own worth; he said

[1] On September 23, 1803; a victory over the Mahrattas, *not* over Hindus.

frankly to his friends in the Tory Cabinet: 'You have no one but myself'; he demanded an extraordinary and unrestricted authority, which he never abused, and which enabled him to suspend any officer and send him home without further ceremony. During a battle his generals had to do what they judged best in the positions assigned to them; but to deal with the opponents immediately in front of them was the limit of their authority, and to exceed it was to incur the penalties of martial law. The officers had little affection for this stern figure, who never thawed into any friendly geniality, or betrayed a trace of good nature or generosity, even when this would not have been detrimental to the service. The penetrating gaze of the cold eyes, the proud features with the aquiline nose and the tightly-closed, inflexible mouth, the stern commanding ring of the voice, forbade any familiar intercourse. But all obeyed, and all felt a pride in satisfying one so hard to satisfy. His officers never ventured, even in friendly conversation, to blame or even to criticise the orders of their commander. They followed his commands blindfold, like inscrutable decrees of fate; on rare occasions he condescended to address them, and then his exposition of his plans was slow, ponderous and inelegant, but resolute and clear.

"Such an absolute independence was only possible in the small armies of the old days. Wellington was, in fact, happiest when, like the mercenary leaders of the sixteenth century, the Frundsbergs, Emsers, and Leyvas, he himself stood in person at the centre of his army, and had his regiments assembled about him in serried ranks, so that he could almost survey them with his own eyes. Placed far below the highly aristocratic officers, who obtained their commissions by purchase, and separated from them by an impassable gulf, was the crude mass of the common soldiers—the dregs of the English people, as Wellington said himself. Generous pay and good food, with an adequate amount of flogging, held these hirelings together. These men of athletic physique, with their old English pugilistic training,

their muscular strength and their endurance, could accomplish marvels, after the drill sergeant had had them in hand for a few years ; the bayonet attacks of the gigantic guardsmen, or the weighty impact of the heavy cavalry mounted on their magnificent chargers, was irresistible. But woe to any town, which, like unhappy Badajoz,[1] had the misfortune to be stormed by these troops ! In the intoxication of victory the cat-o'-nine-tails lost its terror ; the bonds of discipline were relaxed, and the lust of murder, robbery and every bestial craving raged unchecked. The army, then, was like a great mechanical apparatus, working with extreme accuracy ; and at the same time it was more than a machine ; for the officers' corps still preserved that chivalrous bearing and national pride of the English nobility ; and even the brutal common soldier, after so many brilliant victories, was entirely devoted to the commander who had never known defeat, and gazed with pride on his glorious flag.

" Wellington had husbanded his little army in Spain with a thoughtful prudence, only at times, when everything pointed to success, venturing a bold attack, but never hazarding the existence of his army. The Emperor himself he had never yet encountered on the battle-field ; and the grandeur of Napoleonic warfare, the huge mass-attacks which compelled victory at a single onslaught, remained unknown to him. Perfectly unmoved, he still maintained that old-fashioned method of warfare which had procured him so great a success under the exceptional conditions of the Spanish campaign to be the only right one. He looked down on the national armies with the immense contempt of the professional soldier ; they seemed to him without exception no better than the Spanish guerillas, who had so often proved their uselessness on the battle-field ; and he always refused to admit that the success of the Peninsular War would have been impossible without the fanaticism of those undisciplined bands, who harassed and weakened the enemy in the rear

[1] Taken in the Peninsular War (1812) after an investment of nineteen days.

by the terror of petty warfare. 'Enthusiasm,' he wrote in his awkward style to Castlereagh, 'never as a matter of fact helped to accomplish anything, and is only an excuse for the disorder with which everything is done, and for the want of discipline and obedience in armies.' These military views express at the same time the anti-revolutionary temper of the high Tories. In his later years, when his more expert military judgment recognised the absolute necessity for reform, Wellington several times had the courage to separate himself from his political friends, and, heedless of the fury of his party, himself carried through with a firm hand what he had hitherto resisted as a dangerous innovation.[1] In his old age, crowned as he was with glory, he stood high enough to face all alone, to follow alone the bidding of his pure patriotism: 'I would willingly give my life,' he said once, 'if I could thereby save my country from one month of civil war.' In the year 1815 he was still a staunch adherent of the extreme conservative party; and the world-war of those days seemed to him merely a contest of legitimate authority against revolution.

"The national passions which surged in the nations of the continent he regarded half with suspicion and half with contempt. The greater part of his life had been spent among the Irish, the Hindus, the Spanish, and the Portuguese; and these experiences had bred in him the firm conviction that there was no other nation which could even distantly compare with Great Britain. The old English vice of depreciating foreign nations was exhibited in this dry, unamiable hero in such a cold, offensive, and arrogant manner that even the Spanish, who had so much to thank him for, hated him from the depths of their hearts. Like his friend Castlereagh, he held to the opinion that parliamentary freedom was an exclusive possession of the favoured English race, and that it was unsuited to the less civilised nations of the continent. As he had already combined political with military activity in India and Spain, he acted as ambassador,

[1] Especially Catholic Emancipation in 1829.

after the conclusion of peace, at Paris and at Vienna ; and he enjoyed so completely the confidence of the ministers, that he was regarded as practically a member of the Cabinet. He shared the Tory mistrust of the rising powers of Prussia and Russia, was far more deeply conversant with Cabinet secrets than were the Headquarters Staff of Blücher, and he took over the command with a firm and clearly-thought-out political plan—to restore the legitimate king to the throne of his fathers." [1]

§ 3. *The Turning-Point at Waterloo, June* 18, 1815

This passage gives the ordinary German version of the effect produced by Blücher's arrival on the field of battle :—

" Silent, unmoved, with marvellous self-control, Wellington surveyed this vast confusion. Not only was his army utterly exhausted, but its whole tactical formation was entirely broken. As a result of the long struggle, the divisions of the troops were all at sixes and sevens ; out of the remnants of the two magnificent cavalry brigades—those of Ponsonby [2] and of Somerset [3]—all that could be collected was two squadrons. It was out of the question to risk a decisive battle with such troops. The Duke knew well that only the advent of the Prussians had saved him from a certain defeat ; his repeated and urgent appeals to Blücher place this beyond doubt. Yet he owed one last satisfaction to the military honour of his brave troops ; and he foresaw with a statesmanlike intuition that, when the time came for peace negotiations, the word of England must weigh very much heavier in the scale if it could be made to appear that the battle had practically been decided by British troops alone. Therefore, when he saw that the French right wing had succumbed to the Prussian attack, he ordered all the available fragments

[1] *Deutsche Geschichte*, i. pp. 729-33.
[2] The Union Brigade (Royal Scots Greys and Inniskillings).
[3] The Horse Guards and Life Guards.

of his army to make a slight advance. In this last advance the Hanoverian Colonel Halkett drove before him two several squares of the Imperial Guard which were still holding together, and took General Cambronne prisoner with his own hands. But the energies of the exhausted troops soon gave out ; they only got a little way beyond Belle Alliance ; and Wellington, having saved appearances, abandoned all further pursuit to the Prussians,[1] who were at close grips with the enemy." [2]

§ 4. *Great Britain and the Holy Alliance*, 1815

It is characteristic of Treitschke that he contrives, in the following passage, both to represent the Tsar Alexander I., who was the originator of the Grand Alliance, as a crafty hypocrite, and at the same time to reflect on the British Government for refusing to join the Alliance. The latest English historian of the Holy Alliance sees no reason for doubting the Tsar's sincerity ; he defines the object of Castlereagh as a concert of the powers " which was to be directed solely to guaranteeing rights defined by treaty " ; he objected to " a union with vague and indefinite ends." [3] Treitschke says :—

" That mysterious providence which contrived that these emotional outbursts of Alexander should always take

[1] Wellington's official report admits the decisive effect of Blücher's appearance, but does not admit that the final English charge was ineffective. " I should not do justice to my own feelings, or to Marshal Blücher and the Prussian army, if I did not attribute the successful result of this arduous day to the cordial and timely assistance I received from them. The operation of General Bülow upon the enemy's flank was a most decisive one ; and, even if I had not found myself in a situation to make the attack which produced the final result, it would have forced the enemy to have retired if his attacks should have failed, and would have prevented him from taking advantage of them if they should have unfortunately succeeded."

[2] *Deutsche Geschichte*, i. pp. 760-61.

[3] W. Alison Phillips, *The Confederation of Europe* (London, 1914), pp. 148-56.

the direction of his own advantage, presided, too, over this outpouring of his most sacred inspirations. All the powers of Europe might accept this brotherly invitation, with the exception of those two who were regarded as the irreconcilable enemies of the Russian policy of old times. The Pope must stand aside, because the representative of Christ must only admit over the *civitas dei* the rulership of the crowned priest. Finally, the infidel Sultan was, as the Tsar openly declared, for ever excluded from the great confraternity of Europe. To the sensible mind of Frederick William these oracular sentences, which the Tsar propounded to him with a solemn earnestness, appeared very strange, but why refuse to an old friend a courtesy which, after all, laid the Prussian State under no obligation whatever ? The King obligingly copied the official document with his own hands, as his friend requested, on the 26th of September. The Emperor Francis was not so easily persuaded ; he foresaw how painfully this Holy Alliance would affect his faithful friend in Constantinople ; but when Metternich smilingly characterised the pious document as empty prattle, Austria, too, assented on the same day. Then by degrees all the European States joined the Holy Alliance, most of them in order to please the Tsar, but a few of them because these pious utterances from a paternal and royalist government corresponded with the ultra-Conservative tendencies of the dawning age of restoration.

" Only three held back : Russia's two old enemies— and England. The Prince Regent, as ruler of Hanover, signed without demur, but Castlereagh declared in a caustic speech that Parliament consisted of practical statesmen, and could therefore subscribe to a political contract, but not to a declaration of principles which would plunge back the English State into the days of Cromwell and the Roundheads. The true motive of the high Tories, however, was not any regard for Parliament, which they already knew how to outwit, but mistrust of Russia, and concern for the Sultan, who was in fact seriously perturbed by the conclusion of the

Holy Alliance. This extraordinary episode is not without a certain interest in the history of civilisation, since it reflects the romantic temper of the age, and its real sentiment of European unity. A political significance the Holy Alliance never had, though such a significance was imputed to it by the opposition press of all the nations ; these journalists soon contracted the habit of referring to ' the system of the Holy Alliance ' and directed their complaints against the politics of the Eastern powers to this imaginary address."[1]

§ 5. *Character and Policy of Canning*

In the following passage Treitschke explains the foreign policy which Canning put in action, as Secretary for Foreign Affairs, in the years 1822–27 :—

" At this fateful moment a momentous catastrophe occurred at the English court. Shortly before the meeting of the Congress of Verona, on the 13th of August, the Earl of Londonderry[2] committed suicide in an attack of melancholy ; and it was with sincere distress that Metternich mourned for his irreplaceable ' other self.' Lord Liverpool had long been feeling that the deplorable mediocrity of his Cabinet needed the infusion of new life, and that the obdurateness of the extreme Tories called for some mitigation. He resolved therefore to nominate, in Londonderry's place, George Canning, who possessed the most brilliant and original intellect of all the Tory party, and was suspected both by King George and by the court of Vienna. So, at length, while all the other great powers could only oppose to the doctrines of the Revolution an equally barren Conservative doctrinism, a determined representative of English interests and English commercial policy entered once more the halls of Downing Street. From his youth Canning had lived for the one idea of increasing the might of old England. Already, in the war against revolutionary France, he had

[1] *Deutsche Geschichte*, i. pp. 790-1.

[2] Castlereagh.

failed to discern, as Burke did, a war for principles, and saw only a struggle for the British command of the sea; it was only as a means to an end, that, in the columns of the Anti-Jacobin newspaper, he expended his dazzling wit in ridiculing the ideas of the Revolution. Without any scruple, he subsequently, as member of the Portland ministry, ordered in the midst of peace the marauding expedition against Copenhagen,[1] because the interests of English trade demanded this act of violence; and just as unscrupulously he promised the Spanish Juntas his support against Napoleon. As a result of unfortunate misunderstandings and of private incidents, he had been thrust out of the Cabinet [2] at the very moment when his ambition was passionately craving for power, and forced to look on resentfully while men less able than himself reaped the fruits of his energetic policy and Castlereagh represented victorious England at the Peace Congress. Now at last, after long years of tedious waiting, fortune gave Canning the satisfaction of restoring the half-lost independence of English politics, of scattering the stubborn league of the great powers, and of bringing his political career to a glorious close with five years of brilliant success.

" In his home policy he always remained a Conservative, for, although he saw far beyond the prejudices of the rigid extreme Tories, although half Irish himself, he worked energetically for the emancipation of the Catholics, and also supported the modification of the existing harsh Customs laws, he none the less rejected absolutely the new doctrine which was beginning to form a fresh rallying-point for the Whig party—the doctrine of parliamentary reform. Nothing seemed to him more calculated to jeopardise the striking force of British policy than a genuine popular representation in the lower House. But, for every other nation as well as for England, he claimed the right to live in accordance with

[1] In 1807, to forestall the plan of Napoleon and the Tsar for seizing the Danish fleet and using it against England.

[2] In 1809, owing to his differences with Castlereagh.

its own individuality, provided only that this did not interfere with English trade. And the prosperity of this trade was best assured, if peace were never established on the Continent, if the economic forces of the continental nations were exhausted by civil wars. With so much the greater freedom could the fortunate island extend that command of the sea, which she regarded as her natural right. To the cosmopolitan doctrine of a legitimate royal prerogative, Canning opposed with firmness and decision the calm statement, that the harmony of the political world is as little disturbed by a variety in the forms of States as the harmony of the physical world is by the diverse dimensions of the planets. Towards the Spanish he observed the principle which Londonderry had expressed in a posthumous note: that England must never allow the court of Paris the right of entry into Spain, or a permanent influence in the Iberian Peninsula. But how much more favourable was England's position now than it had been a year ago.

"At Troppau and Laibach[1] Castlereagh had fought alone, with his left arm, since he himself was strongly in favour of the intervention of Austria in Italian affairs, and only disapproved the doctrinaire manifestoes of the Eastern powers. In regard to the Spanish question,[2] on the other hand, Canning could pronounce a cold and unconditional negative; and he was all the more firmly resolved on this point, since he judged the great European alliance with complete open-mindedness. Londonderry never had the courage to formally break away from the great Alliance. His successor regarded it as a fetter on England, especially as England, departing from her original purpose, was only as yet concerning

[1] At the Conference of Troppau (1820) Austria, Prussia, and Russia combined together, ignoring England and France, to prevent revolutions in the minor European States from becoming a menace to the stability of other States. At Laibach (1821) the debates of Troppau were continued; the three Eastern powers hoped to obtain for Austria a mandate to deal with the Neapolitan revolution. Castlereagh (then Lord Stewart) resisted the Eastern powers at both conferences.

[2] A military revolt had broken out in Spain in 1820, under General Quiroga. The rebels demanded the restoration of the Constitution of 1812.

herself with the police supervision of Europe. While his predecessor had looked up to Metternich with a friendly awe, Canning was the first statesman of his age to penetrate the triviality of the great magician of Vienna. After he had followed the sinuosities of Metternich's policy for a little time, he roundly declared him to be the greatest liar and knave on the Continent; and henceforth he set aside with a dry jest all the unctuous moral dissertations on politics from the Imperial Palace. He fully realised that England's little army could scarcely risk an armed encounter with the French in Spain. Therefore he kept another weapon at hand, with which he could severely chastise England's neighbours, in case they hazarded an entry: If England were the first to express formally that recognition of the independence of South America, which was in fact already partially ratified, the British flag would win the lead in the newly opened market,[1] and might possibly secure for herself in the West another greater Portugal and the commercial and political exploitation of a vast territory.

"Just as thoroughly English was Canning's judgment on the Eastern complications. As a student he had been distinguished for his rich classical learning, and years ago he had even written Philhellenic poems; so that now he did not refuse the Greek rebels his human sympathy. But, for all that, he had no intention whatever of mitigating the oppressive despotism, which his England exercised over the Hellenes of the Ionian Isles.[2] Like the vast majority of his compatriots, he looked upon the preservation of the Turkish Empire as a European—that is to say, an English—necessity, because the economic helplessness of the slumbering Balkan

[1] In 1824 Canning recognised the independence of the Spanish South American colonies; France and Spain had suggested that their future should be settled by an international congress. Canning feared, at this time, that Spain would become a dependency of France. But the colonies were at least as effectually helped by the promulgation of the Monroe Doctrine (1823).

[2] The British Protectorate was recognised by the Convention of Paris in 1815. In 1864 the Ionian Isles were surrendered to the kingdom of Greece.

peoples offered such a convenient market to the British merchant. In order not to weaken these most faithful supporters of old England, he desired never to grant the Greeks more than those prerogatives of a partially independent vassal State which Servia already enjoyed. Canning regarded the struggle against Russia's eastern policy as incomparably more important than the future of the Hellenes. In his mistrust of the Court of St. Petersburg he was at one with Londonderry and the extreme Tories, except that he wished to oppose the Russian designs by deeds, and not merely, like Metternich, by postponements and delays.

"It was indeed a blessing that the clear ray of an energetic national policy once again streamed into the nebulous world of European reaction. And Canning advanced with the times. He perceived some of the new forces which were forcing their way into the life of nations, and he recognised their justice; the ideas of his policy of British supremacy, took the direction, even if it was only by chance, of many of the deepest wishes of the Liberals of the Continent. He knew how to make masterly use of this advantage. Just as the two Pitts had made eloquent use of a great phrase —the Balance of Power—to disguise the selfish policy of English maritime supremacy, their successor now employed a new catchword — the freedom of nations — which later passed into the vocabulary of Lord Palmerston, as a seasoned heirloom. The Liberal world listened entranced, while this handsome man, with his ardent sparkling eyes and his broad bald forehead, delivered one of his fiery and closely-reasoned speeches; in which he always selected the right moment for interrupting his sagacious disquisition on the advantages to English trade with a well-calculated attack on the hated Holy Alliance, or a solemn appeal to the principle of nationality, or some classical quotation redolent of liberty. Since, moreover, the feeling of veneration for free England still lingered on from Napoleonic times, the curious situation arose that this thoroughly insular aristocrat passed for a hero of cosmopolitan liberalism; and this island nation,

which surpasses all the nations in the world for deep-rooted national egotism, was extolled as the valiant defender of the freedom of all the nations. For Metternich Canning represented a formidable enemy. The court of Vienna knew how to deal with the ideologues of the Revolution; but this man, with his marvellous combination of fire and frost, of ardour and sobriety, who, supported by the economic force of the greatest financial power in the world, defended the cold calculations of his commercial policy with a mighty pathos of patriotic eloquence, and enlisted the public opinion of Europe into the service of English maritime supremacy —this man was to the statesmen of Vienna an enigma. He was only in office for a few weeks; then he was overwhelmed with such a torrent of abuse from the Austrian diplomats as clearly betrayed their secret apprehension." [1]

§ 6. *The Congress of Verona, 1822*

The Congress of Verona was intended to continue the campaign against revolutionary outbreaks which had been opened at Troppau (1820) and Laibach (1821). The plenipotentiaries met at Verona on October 20; Great Britain was represented by the Duke of Wellington, and his action was inspired by Canning, who followed the line marked out by Castlereagh. Russia, Austria, and Prussia decided (October 30) that France should have a free hand to deal with the Spanish revolution. Wellington dissociated himself from this decision. Great Britain feared that France would secure control of Spain and of the Spanish colonies; this fear, and the necessity of providing for the safety of British trade in South America, explain Wellington's attitude on the South American question. Treitschke calls attention, quite justifiably, to the second of these motives. But his explanation of Great Britain's efforts to secure the abolition of the slave-trade is grotesquely unfair:—

[1] *Deutsche Geschichte*, iii. pp. 263-6.

"How dearly Russia had to pay for this success! On the 19th and 20th of November, Wellington declared in two memoirs, that England could not participate in the last measures taken by the Powers, and, on the whole, would only intervene in the internal situation of the other States, if her own interests were threatened. That was Canning's refusal of the great Alliance. On the 24th of November, Wellington drew the sharp sword, which England held in readiness, half out of its sheath, as he broached the subject of the independence of South America. His minister [1] had written to him with fervent zeal: 'American questions are at present far more important for us than European. If we do not take hold of them and turn them to our own advantage, we run the risk of losing an opportunity which can never never be recovered.' Of the freedom of the new world, of the awakening of nascent nationalities, not a syllable transpired in the course of these cool expositions of a commercial policy; Canning kept his fine phrases for his parliamentary speeches. In fact, the British flag found itself hard pressed in the American seas; it could with difficulty defend itself against pirates, as long as it could not rely on the protection of the new authorities in the maritime States. Already in March, President Monroe had formally recognised several of the new Republics [2] in the name of the North American Union; and Henry Clay, in a powerful speech, declared that to be America's answer to the impious conspiracy of the despots. Even now British battleships found themselves under the necessity of forcing the blockade before Puerto Cabello, in order to secure the entrance of merchantmen. England, who had herself experienced so many violent changes of her rulers, and in her penal laws expressly provided for obedience to the existing government,[3] could not possibly carry her regard for the legitimate rights of the Spanish court so far as to allow

[1] Canning.

[2] Colombia, Chile, Buenos Aires, Mexico; in March 1822.

[3] By a statute of Henry VII. (1495) no person assisting the king *de facto* was to be liable to impeachment or attainder.

the fertile markets of Venezuela and Peru to be lost meanwhile to her North American rivals.

" In the dry tone of a business intimation, Wellington gave a notification to the Powers that England must combine with the colonial authorities to check this piracy, and this collaboration would inevitably involve a recognition of the actual existence of these revolutionary governments. All the other Powers protested vigorously. The Emperor Francis declared roundly that he would never recognise the independence of the Colonies, so long as their legitimate king had not done so himself. Bernstorff,[1] too, expressed the vigorous disapproval of his monarch, and found that the moment for this declaration had at any rate been badly chosen, since the decrees of Verona might possibly restore order in Spain, and make possible an understanding of the Colonies with the mother-country. The Tsar wished first to await the result of a great plan of reconciliation, which he had concerted with King Ferdinand. Finally, France expressed the wish that the Alliance should ' at some future date ' agree to a joint action, so that the precipitate action of an individual Power might not excite the commercial rivalry of the rest. This legitimist circumspection, which so painstakingly avoided the acknowledgment of actual facts, was of no service to the pressing interests of British trade. Wellington did not hesitate to express himself in the matter very emphatically, in his cool way ; and, at the close of the Congress, Bernstorff regarded it as certain that England would very soon, without consulting the Allies, come to a complete understanding with the rebel States of South America.

" It was with just as little concern for the opinions of the other Powers that Wellington represented another important interest of the English commercial policy—the abolition of the slave-trade. With what joy had the civilised world once welcomed this benevolent idea, when it was first urged by the noble and pious Wilberforce. Since that time, the

[1] The representative of Prussia.

pious zeal of the Continent had long grown cool, because English statesmen at all the Congresses had urged the reform with a too conspicuous zeal, and even the British commercial world voiced its opposition to the slave-traders with an almost fanatical violence. The wicked world could not forbear to ask itself why all the traders from London to Liverpool, usually not at all remarkable for philanthropy, should suddenly evince such a tender concern for the negroes. The trade lists supplied the answer. Of the whole coffee importation of that time scarcely a twentieth part came from the English colonies, of the sugar importation about a fourth. The whole British colonial Empire comprised only a few plantations suitable for negro-labour, and these had long been over-supplied with blacks ; the abolition of the slave-trade could here do very little harm, whereas, in the case of the colonies of the other Sea-Powers, it was bound to produce serious economic disturbances. Thus, these fine professions of Christian charity served to cloak another and less Christian ambition — namely, to inflict serious injury on England's rivals. Canning himself could not deny that this mistrust existed, especially in France, though he naturally refused to admit that it had any justification." [1]

§ 7. *The Significance of* (*a*) *the Catholic Emancipation Act* (*1829*) *and* (*b*) *the Reform Bill* (*1832*)

The two following passages illustrate Treitschke's interest in the development of the English parliamentary system ; and they show how differently from German Liberals he interpreted the spirit of the English constitution. Here, as in his political essays, he takes the view that the English system of government before 1832 was based not upon principles but upon the vested interests of the land-owning aristocracy. In the reforms of 1832 and later years he, like Gneist, saw mainly the overthrow of an old order, and

[1] *Deutsche Geschichte*, iii. pp. 276-8.

imagined that the stability of the British State had been fatally impaired. But he admitted the usefulness of some of the social reforms which followed upon the reconstitution of the House of Commons :—

(*a*) " Since Canning had broken away from the alliance with the Eastern Powers, English parliamentary life had taken on a new vigour ; Huskisson secured some modification of the harsh Customs laws,[1] and Canning himself, shortly before his death, was becoming more drawn towards the rising party of the Whigs. Public opinion was directed once more to those plans for reform, which Pitt had projected in his early optimistic years, but had been obliged to postpone in the troubled days of the war. During the long years, when the States of the Continent had been fashioned anew by an enlightened absolutism or by the Revolution, England had been expending her best energies in founding her colonial empire, and her internal legislation had been almost entirely disregarded. Now at length the nation realised how much had been neglected, and the need for reform obtruded itself with such insistence that several of the most daring innovations of the next decade were the work of strongly conservative statesmen ; for instance, the first measure, Catholic emancipation, was the work of Wellington and Peel (1829). Even these Tories felt that any longer delay might involve civil war, and possibly the revolt of a shamefully misgoverned Ireland ; and that the old animosity of the Catholic Celts, which had just been powerfully stirred by O'Connell's flaming speeches, must be appeased by an act of justice.

" This moderate reform only achieved what Germany had accomplished long ago, and the other Continental States in or after the Napoleonic era. The power of the English aristocracy was, however, closely interwoven with the privileges

[1] Huskisson became President of the Board of Trade in 1823 ; in 1827, after Canning's death, he became Secretary for War and the Colonies ; he resigned office in 1828. He was one of the pioneers of free-trade policy.

of the national Church. Just as in the twelfth century, the struggle with the Roman Church first weakened the supremacy of the Norman kings, and prepared the way for the struggle of the Papacy and Empire in the following century, so the first blow to the Anglican Church at once threatened the supremacy of the parliamentary aristocracy, and opened a door for the entrance of a democratic age. Louder and louder sounded the demand for the reform of Parliament. Once again, though in an entirely different fashion, there was revealed that contrast between the regions of the South-East and the North-West which had proved so momentous in the history of England. Often in earlier centuries had the powers of progress pitched their camp in the plains of the South-East ; but since that date the mountainous country of the North-West had emerged from seclusion. Here lay the mines and the manufacturing towns of modern England. Here an entire transformation of the old social relations was in progress. For the country-people continued to stream into the towns ; and these large and prosperous industrial centres were imperiously demanding parliamentary representation, while the wretched boroughs of the South-West were falling more and more into decay." [1]

(*b*) " What wonder that this peaceful reform was extolled by the moderate Liberals of the Continent as a fresh proof of English hereditary wisdom ; even Dahlmann saw in the reform only a wholesome reformation of the existing constitutional authorities, since he, like his master Montesquieu, looked upon the Lower House as a democratic counterpoise to the Upper House. It was only a few clear-sighted Conservatives who appreciated the importance of this great and far-reaching change. In a brilliant article in a Prussian official newspaper, Hegel [2] prophesied that this reform would shake the power of the old parliamentary aristocracy to its very foundations ; and the sequel proved him correct.

[1] *Deutsche Geschichte*, iv. pp. 21-2.

[2] This essay, " Ueber die englische Reform-Bill," is reprinted in Hegel's *Werke*, vol. xvii. (Berlin, 1835), pp. 425 *et seq.* It was contributed to the *Allgemeine preussische Staatszeitung* in 1831.

Until this date, only a fourth of the members of the House of Commons were chosen freely; the others all owed their seats to the favour of the landowners and of the Cabinet. From this time, in half the constituencies it was the middle classes who held the casting-vote; and although even now the nobility exercised their usual arts of controlling the elections in forms adapted to the time and with great success, yet the House of Commons did become gradually what it had never been under the Georges—a national assembly. The power of the Upper House, however, declined irresistibly; for the Lords had hitherto quietly exercised a great part of their influence in controlling the elections as well as the votes of the Lower House. The old House of Commons depended on the rotten boroughs for the successive generations of its young statesmen; henceforth their entry to the House was not so easy. The scarcity of talent and the decline of eloquence soon showed that the great days of English parliamentarism had come to an end. In addition to the old-fashioned names of 'Whig' and 'Tory,' the vague continental terms 'Liberal' and 'Conservative' had already come into use; for the two old hereditary aristocratic parties soon became split up, after the French fashion, into half-a-dozen fractions, small groups representing particular opinions and interests, which were only with difficulty gathered into one camp. The leader of the new House of Commons no longer, as the two Pitts had done, ruled with the authority of a commander-in-chief over an unbroken phalanx of friends and connexions of his own class; he was obliged to win over by flattery the new gentry made up of merchants and manufacturers, bank directors and railway directors, who were now jostling the old landed aristocracy; he must promise satisfaction of every domestic, ecclesiastical, or local claim, he must promise fulfilment for every wish; he must now let himself be led, and now, under an appearance of submissiveness, he must himself take the lead. If the House of Commons in the past had often alienated the nation by its social arrogance, now the portals were unbarred

to admit every caprice and whim of public opinion ; the anonymous and self-appointed statesmen of the newspapers, especially those of the *Times*, acquired an enormous power, and it happened not infrequently that the commoners, intimidated by the uproar of the Press, voted for measures of which they disapproved. Legislation which before had been so tardy, now worked rapidly, often wantonly. In rapid succession, the Civil List of the Crown was separated from the public expenditure, the trade monopoly of the East India Company was terminated, slavery was abolished in the Colonies ; the University of London was incorporated and took its place beside the two ancient aristocratic universities ; the decayed municipal corporations were transformed by a Liberal but ill-considered Municipal Government Act. And so strong was the democratic tendency of the time that even this House, which was still made up almost exclusively of the rich and aristocratic classes, had to turn its attention to the much-abused masses of the people. In the year 1833 appeared the first and very unassuming Act for the regulation of the factories ; further, a small State-subsidy was granted for elementary education, which had been so shamefully neglected." [1]

§ 8. *Character and Policy of Lord Palmerston, 1830*

The following sketch is a good example of Treitschke's skill in portraiture. It is also interesting because he saw in Palmerston the incarnation of English diplomacy. He held that England always had pursued a narrow policy based on her commercial interests, and had always disguised her selfishness beneath a cloak of general principles. In Palmerston's case the cloak was unusually transparent, and he makes Palmerston the type of the British hypocrite :—

" The inmost nature of this time of transition was exhibited in the Talleyrand of parliamentarism, that very

[1] *Deutsche Geschichte*, iv. pp. 24-5.

skilful statesman, who, an aristocrat by birth and inclination, from this time guided the foreign policy of England in the manner of a masterly demagogue. Lord Palmerston sprang from a very old Anglo-Saxon family, which had been famous long before the Norman Conquest ; in modern times the house of Temple had always been an ornament of the Whig party. Young Viscount Henry, however, went over to the Tories without any compunction, because the Whigs, in those Napoleonic days, could not hope for power. At the age of two-and-twenty he was Lord of the Admiralty,[1] two years later Secretary at War ; [2] and, by his ardent though irregular industry, he acquired such a thorough knowledge of State affairs that he could no longer fail to get an official position. He was the most permanent of all the English ministers : of the fifty-eight years of life which remained to him after his entry into office, he spent forty-eight on the ministerial benches. In the years when he helped to equip the army against Napoleon, he soon accumulated a rich store of diplomatic experience, and, in his first great parliamentary speeches, he boldly announced the leading idea of his political life. He justified the expedition of the fleet against Copenhagen with the simple words : ' In this case, the law of nature is stronger than the law of nations.' Consequently England, in time of peace and for the sake of her own preservation, was to make a marauding attack on a small neighbouring State. The momentary advantage, the ' expediency,' as he liked to call it, excused the breach of faith and law. A politician through and through, without any feeling for art or for the ideal forces in human life, but free from self-conceit and sentimentality, he always followed his inborn practical instincts ; principles and theories hampered him as little as conscientious scruples. He knew that he would make his way, if only he could continue in the saddle ; he quietly declined a high office for which he felt himself not yet equal, and afterwards, without grumbling,

[1] In the Portland administration, formed in March 1807.
[2] In the Percival administration, formed in October 1809.

he contented himself with a position of the second rank, although he had by this time expected something more important.

" But success was bound to come to him in the end ; from early days he was a favourite of the drawing-rooms ; business did not hinder him from cheerfully living and letting live, or from taking part enthusiastically in every pastime of distinguished society. He ridiculed the sanctimonious bearing of his companions, and he confessed with a refreshing sincerity how much pleasure he derived from female society and from all the joys of this world ; even in his old age, he enjoyed hearing himself called by his old pet name ' Lord Cupid.' When, after a long sitting in the House of Commons, he made his way home at a late hour of the night, walking with elastic stride, always with a flower in his mouth or in his button-hole, shouldering his umbrella, his tall hat shoved far back on his head, his countrymen rejoiced at this picture of old English exuberance. His whole being exhaled a cheerful ease. The strong, square Anglo-Saxon head, with the roguish eyes set far apart, suggested at once the strength of the dog and the cunning of the fox. To his tenants he was a good-natured landlord ; his cousins and friends he provided with fat sinecures, in accordance with the English aristocratic custom, but he never intentionally entrusted an important office to an incompetent. If an opponent thwarted his purpose, he never failed, sooner or later, to secure his revenge ; but, after that, all was forgotten ; lasting animosity was incompatible with this easy-going nature. He lacked the greatness and the depth of a really original and powerful thinker. His strength lay in that subtle sagacity which enabled him to scent in advance every change of public feeling ; and the longer he remained in power, the more perfectly he and his fellow-countrymen learnt to understand one another, until finally he seemed to them the perfect embodiment of the national spirit.

" He had no acquaintance with foreign nations, and he did not desire their acquaintance ; it was only for Italy,

where he had spent a few years of his youth, and for the gay life of the Paris salons, that he cherished a certain predilection. He judged the Germans as Canning's envenomed and insulting poem in the *Anti-Jacobin Review* had taught all the Tories to judge them; he saw in them a servile nation, composed of infantile politicians, of undisciplined free-thinkers, and of learned fools. So, in his parliamentary speeches, he had no hesitation in striking the seductive note of national self-glorification; and he soon learnt that this sort of demagogic flattery can hardly be made too gross for a British audience. In the summer of 1813, when the people of Prussia were in arms, Palmerston extolled the incomparable advantages of the English mercenary army, and declared to delighted crowds that the Commander-in-chief can rely more confidently on such an army of paid volunteers than on a 'band of slaves' who are dragged from their houses by force. Subsequently, he even glorified the cat-o'-nine-tails as a jewel of British freedom; as a matter of fact the whole difference between the English and the continental armies consisted in the fact that, in the case of the latter, floggings were administered without examination, while in old England they were administered after a sentence under martial law.

"The reactionary doctrines of the Austrian court could not appeal to this realist, though he took care that this fact should not occasion a breach with Lord Castlereagh. He attached himself to Canning with sincere delight, because the latter brought back into honour the old English policy of self-interest. He soon retired from the Wellington ministry [1] with the other Canningites. He felt that this Cabinet must be 'wrecked on the rocks of public opinion,' and he was not mistaken with regard to the approaching collapse of the Bourbon dynasty.[2] For two years he continued in the ranks of the opposition, and by enlightened commonplaces prepared the way for the bold change of

[1] In May 1828.
[2] By the July Revolution of 1830.

front which was to transfer him to the Whigs. ' In Nature,' he announced, ' there is only one motive force—the spirit ; in human affairs this force takes the form of opinion ; in political affairs it takes the form of public opinion ; and those statesmen who understand how to master the passions, the interests, and the opinions of men acquire a disproportionate power.' Whether a statesman is not also under an obligation to instruct public opinion when it is at fault, and to defy with angry brow the prejudices of the national assembly, was a question which he never put to himself. When, after the July Revolution, he entered the Reform Cabinet of the Whigs, and took over the Foreign Office from the nervous hands of Lord Aberdeen,[1] he immediately took the path of Canning's commercial policy. He could not enrapture the House, like the two Pitts, by an ardour of spiritual exaltation, nor, like Canning, by the sustained pathos of a skilled eloquence ; the new parliamentarism called for an apostle of mediocrity. Palmerston relied on the infallible method of national self-praise, on little dialectic conjuring tricks, on journalistic phrases, which were intelligible to all and saved the trouble of reflection. He attacked his opponents with an insulting wit, and, on occasion, with a well-calculated coarseness, which, to the unsuspecting, rang like the involuntary emotional outburst of an honest man, and always left his hearers with the impression that they had gazed deep into the recesses of his loyal heart.

" When still in opposition, he had already expressed with a prophetic smile the flattering conviction that every member of the House of Commons would be able to form an expert opinion on foreign policy, if only this were conducted honestly and openly. Accordingly, as a minister, he was zealous in preparing elaborate Blue-books, which gave a little information about everything, but no information at all about essentials ; so that every reader of *The Times* could now boast that he knew the European policy of this

[1] He entered the Grey Cabinet (November 1830) as Secretary of State for Foreign Affairs.

popular statesman from beginning to end. Like Canning, Palmerston wished to preserve the peace of the world, in order not to injure British trade; but, like his master, he desired with equal intensity that the Continent should always be threatened with a simmering danger of war, in order that England might have a free hand for extending her colonial Empire and for securing the markets of the whole world. Above all, it was important to keep apart those two very dangerous rivals, France and Russia; and the business sense of the converted Tory immediately perceived how easily this end might be attained by a skilful exploitation of the political passions of the day. Judiciously employed, the Liberal phrase 'for old England' might become a no less useful and at the same time less costly article of export than coal, iron, and cotton. If England attached herself to the new French ruler,[1] in such a way as to support him and at the same time to hold him in check, if this *entente cordiale* of the western powers in the midst of these unsettled times were persistently extolled as a league of freedom against despotism, of light against darkness, then an honourable understanding between France and the conservative powers of the East was rendered impossible." [2]

§ 9. *The Foreign Policy of Palmerston, 1839–41*

Our next passage relates to the policy which Palmerston pursued, as Foreign Secretary, in the second Melbourne Administration. Palmerston's main preoccupation at this time was the question of the Ottoman Empire, which he desired to maintain against the designs of Russia. For this purpose it was necessary that Great Britain and the other European powers should intervene to save the Sultan from the attacks of Mehemet Ali, the ruler of Egypt and the most ambitious of Turkish vassals. The reward which Palmerston

[1] Louis Philippe, proclaimed "King of the French" on August 9, 1830.
[2] *Deutsche Geschichte*, iv. pp. 26-9.

obtained from the Sultan was the closing of the Dardanelles and the Bosporus to ships of war. Prussia acted with Great Britain in the Turkish question, and Treitschke felt that his country had been made a catspaw. In 1841 the Melbourne administration went out of office; Palmerston was succeeded by the pacific Aberdeen:—

"Thus there reigned once more on the Continent that condition of veiled dissension which England needed for her plans, and never had the old truth that the trader's policy is the most immoral of all policies been so clearly demonstrated as in these years. While the great powers were taken up with their wranglings, Palmerston would be able, unmolested, in his own unchivalrous fashion, to vent British insolence on the weak. He started a dispute with Naples over the Sicilian sulphur trade, with Portugal over the sacrifices of the last civil war, a war which England herself had diligently fostered. With Servia he concluded a commercial treaty, and immediately endeavoured to compel Prince Milosch to dissolve the constitution. The rock of Aden, the key to the Red Sea, the Gibraltar of the East, was stolen [1] in 1839, in the midst of peace. Soon after began the Opium War,[2] the most detestable war ever waged by a Christian nation; the Chinese were compelled to tolerate the smuggling of opium from the East Indies; and England, while she poisoned their bodies, sought to save their souls by the evangelical sermons of her missionaries. Against more powerful opponents Palmerston only dared to employ the weapon of cunning. Every one suspected that England was secretly supporting the Circassians in their struggle against Russia; though the secret only became notorious when the Russians seized the ship *Vixen*, freighted with arms,

[1] From Arab tribesmen, who had plundered a shipwrecked East Indiaman and maltreated the crew and passengers (1837).

[2] In 1840–42. The war was provoked by the sudden and arbitrary interference of China with the opium trade. It resulted in the cession of Hong-Kong to Great Britain, and the opening of five Treaty Ports to European trade.

on the Caucasian coast. Even more acute distress was roused at the London court by the occupation of Algeria, the last and best legacy of the French Bourbons. According to the English point of view, the whole of Africa was the legitimate possession of Great Britain. Even the peaceably disposed Lord Aberdeen declared arrogantly to the Prussian Ambassador: 'The French have united Algiers to France "for all time."' That phrase 'for all time' signifies until war is declared, until the first English battleship appears in the harbour of Algiers![1] Every British heart was filled with the ambition to lay waste this fair and promising settlement of the French; therefore that dangerous enemy of France, the heroic Abdul Kadir,[2] could count at any time on England's secret assistance.

"In the face of such an absolutely unscrupulous commercial policy, a policy which was penetrating into and making mischief in every part of the world, all the other civilised nations seemed like natural allies. England was the stronghold of barbarism in international law. England alone was to blame for the fact that naval warfare, to the shame of humanity, was still an organised form of piracy. It was the common task of all nations to establish on the sea that balance of power that had long existed on land, that healthy equilibrium which should make it impossible for any State to do just as it pleased, and should secure for all alike the protection of a humane system of international law. The cause of human civilisation demanded that the diversified splendour of the world's history, which had begun with the dominion of the monosyllabic Chinese, should not develop in a vicious circle towards a final supremacy of the monosyllabic Britons. As soon as the Eastern question again came under discussion, it was essential that some attempt should be made, by a far-seeing statesmanship, at least to

[1] The English government asserted in 1833, and on later occasions, that France ought to evacuate Algeria because Polignac, the minister of Charles X., had given pledges to that effect in 1829.

[2] The leader of Algerian resistance to the French in the years 1832–37, and again in 1839.

mitigate that oppressive alien despotism which the English fleet exercised in radiating circles from Gibraltar, Malta, and Corfu, and to restore the Mediterranean Sea to the Mediterranean nations. The Prussian State, however, did not as yet possess a fleet ; it could not and dared not rise to such a free vision of those far-distant operations, since it could itself barely afford the necessary protection for the scattered German peoples, and Italy had not yet risen to the status of a Great Power." [1]

§ 10. *The "Entente Cordiale" of Great Britain and Prussia, 1841*

The following passages relate to comparatively unimportant affairs. But they are entertaining, as giving us a continental estimate of Queen Victoria, of the Prince Consort, and of their well-meant attempts to cultivate friendly relations with the German courts. Frederick William IV. of Prussia responded cordially to their overtures. He joined with Great Britain in 1841 to found a Protestant bishopric at Jerusalem. In 1842 he visited London and conceived a strong admiration for the English parliamentary system. He was represented at the Court of St. James by Bunsen, whom Treitschke abuses for Anglophile tendencies :—

(*a*) " In November 1841 the first evangelical Bishop of Jerusalem was consecrated by the Archbishop of Canterbury ; he was a Jew of Breslau, who had received in baptism the name of Alexander, and he filled his difficult office very respectably. The ordination sermon celebrated the episcopal see at Zion as the first-fruits of the union of all Protestants. So Prussia presented to the new Anglican diocese not only one-half of the cost of maintenance, but also the person of the Bishop. Bunsen was in an ecstasy ; he fancied that he had once again achieved a great diplomatic victory by persuading the British to accept this gift from Prussia ; and he heard with rapture how his pious friend, Lord Ashley, had

[1] *Deutsche Geschichte*, v. pp. 63-4.

extolled Prussia's Christian monarch as the best and noblest king of this world. It was not without a certain malicious pleasure that he noticed with what suspicious eyes all the other Great Powers without exception regarded this Protestant bishopric. Russia and France, since the Dardanelles Treaty,[1] had been jealously competing for the favour of England, and naturally had no wish to be outbid by Prussia; while Metternich vaguely apprehended a danger to the Catholic Church in this friendship of the two Protestant Great Powers, and said anxiously to his faithful Newman in London: 'Bunsen is trying to found a new Schmalkald League. . . .'"[2]

"Looked upon as a political treaty, this agreement with Bunsen was a monstrosity, because England alone derived all the advantages from it and gave nothing in return, and experienced diplomats surmised that now at last the proceedings of this theological busybody would be put an end to. Frederick William thought otherwise. He had not been prosecuting any political plans in these negotiations, and he continued to repeat the modest exhortation: 'Let us efface ourselves.' Since he now perceived the consummation of that work of Christian piety, which was all that his heart desired, he decided to bestow a handsome reward on the man through whose agency it had been accomplished. In the autumn of 1841 he began to carry out the long-projected changes in the diplomatic corps. Werther received an important office at court, and his place was taken by Count Maltzan, hitherto ambassador at Vienna. Bülow, whose talents the King valued very highly, was recompensed by a transfer to Frankfort, in order that he might infuse new life into the politics of the German Confederation. In naming his successor Frederick William exhibited a chivalrous delicacy of feeling without precedent in the history of diplomacy; he allowed the young Queen herself the choice between three names—Count Arnim, Count Dönhoff, and

[1] Of July 1841, by which the Dardanelles were closed to ships of war.

[2] The League of Schmalkald was formed in 1530 by the Protestant Princes of Germany to resist the religious policy of Charles V.

Bunsen. The answer could hardly be in doubt, since Bunsen during the recent negotiations had yielded so compliantly to all the English demands. After a conference with the Queen, Lord Aberdeen replied: 'We cannot do better than keep what we have,' that is, Bunsen; 'we do not know the other two gentlemen.'

"From the point of view of England the choice could not have been better; from the point of view of Prussia it could not have been worse. The weakest of the Great Powers needed for its representatives men of strong Prussian pride, men who would uncompromisingly insist on the independence of their State, which had not yet been fully recognised by the older Great Powers. In this respect Bülow had been sometimes at fault, since, in the course of years, he had accustomed himself to the English point of view to the verge of forgetting his own. But Bunsen, at the time that he took up his office, as a result of the influence of his British wife, was already half transformed into a pseudo-Englishman; several of his children adopted their mother's nationality; that cosmopolitan indeterminateness, which has been the misfortune of so many diplomatic families, had fallen like a blight upon his household. It was gratifying for this self-satisfied man, so soon after his failures at Rome, to find himself transferred from the quiet country house on the Hubel near Berne to the stately Prussia House in Carlton Terrace. There he found himself in close proximity to Buckingham Palace, the Houses of Parliament, the Foreign Office in Downing Street, and the ancient groves of St. James' Park; on all sides he saw the monuments of a great history. The fire of his easily aroused enthusiasm was kindled into flame; the State and the Church, the country and the people of the prosperous Island took on a rose-coloured light. He regarded his own office as the most important post in the Prussian diplomatic service, and he was made very happy by the consciousness that he had been selected to seal more firmly the historic alliance of the two kindred nations. This 'historic alliance' had been a pet

phrase of Prussian diplomacy ever since the change of dynasty. No one asked what the Prussian State had ever gained by the friendship of England, and whether Prussia was not now strong enough to dispense with it.

"As blissfully hopeful now as he had been at Rome, Bunsen regarded any personal friendliness shown to him in London as a political victory, and seriously believed that the least genial of all nations could be won over by geniality; he innocently hoped that the British would not put any obstacle in the way of an extension of the Zollverein, and that in case Germany acquired any colonies, Great Britain would affectionately protect them with her fleet. The English regarded their ardent admirer with a quiet irony, and lost no time in turning to account his unrequited love. 'Ritter Bunsen,' as he was called at court, was soon a lion of London society and a special favourite of the newspaper reporters. In addition to the enormous mass of his despatches and memoirs, which were invariably witty and invariably unpractical, he contrived to win a place in the world's history for his book on Egypt, and to continue his liturgical studies. Thus he was equally intimate with the diplomatic, the learned, and the ecclesiastical circles of London, and was always ready to relate with a just pride how he had been the only foreigner present at a banquet of the Lord Mayor or the Archbishop of Canterbury; or how his speech delivered in faultless English had been enthusiastically received by some assembly; or how the University of Oxford, more grateful than the German Universities, had honoured him with a doctor's degree. He made use of this brilliant social position to found numerous societies for the benefit of the German residents in London, and also to give a helping hand to the young German scholars who assisted him in his labours. In the opinion of the public at large, it was to the advantage of the Prussian State that, throughout the vast metropolis, the Prussian Minister should form a constant topic of conversation. In point of fact, his political activity in London, as before in Rome,

was wholly injurious to his native country. It was impossible that an enthusiast, who was so easily satisfied with fair words, should gain any influence over the cold English business-men. At the Prussian Court, however, Bunsen's sanguine reports were the cause of totally false conceptions of England's German policy, and of fatal mistakes, which were to meet with a severe punishment later, when the fate of Schleswig-Holstein was at stake." [1]

(*b*) " Such a spectacle of internal peace naturally filled German moderate Liberals with admiration ; disillusioned by the intrigues of the July monarchy, they began to reject the French ideas of freedom which had been fashionable in the 'thirties, and now found an embodiment of their constitutional ideal in the State of Queen Victoria. Only a few observed how the aristocratic substructure of the old English parliamentarism had crumbled since the Reform Bill ; how the decisions in the Lower House had gradually come into the hands of the Scots and the Irish ; and what new democratic transformations were thus preparing. At this time Great Britain was rejoicing in an unexampled economic prosperity. Her industrial activity had developed to such an extent that she felt herself in a position to control all the markets of the world, and she therefore raised the banner of Free Trade. A vast emigration secured the conquest of extensive colonies ; and, even if these were perhaps at some future date to shake off the political dominion of the mother-country, still they preserved their British civilisation, and thus secured a great advantage for the Anglo-Saxon over the Teuton race ; it was not long before, in every corner of the globe, there might be found some province which bore the auspicious names of Victoria and Albert. Occupied in their party struggles and in their rivalries with their neighbours, the continental nations scarcely noticed how the greatest Empire in the world's history was thus growing up perfectly unmolested. Among the German Anglomaniacs England was commonly extolled

[1] *Deutsche Geschichte*, v. pp. 122-6.

as the model of a peace-loving Power, who confided innocently in the adequacy of her small hired army. Yet, as a matter of fact, this new Carthage was the only State in Europe which was continually—more frequently even than Russia—waging wars—wars, to be sure, in which gold counted for more than iron.

"At the side of the mistress of this world-empire stood a German princeling, who found himself in the same situation as that of a princess married to a foreigner; he could not keep his nationality. Prince Albert soon became a thorough Englishman, though in the family circle he generally spoke German, and his devoted consort, to the horror of all pious British hearts, even allowed him to use a silver knife for eating fish. When a few years after his marriage he once more visited Germany, he took pains to display his British ways, and held a review of the garrison of Mainz in a grey summer overcoat; so that the Prussian generals demanded wrathfully whether this young sprig of the House of Wettin had altogether forgotten that German princes paid honour to the flag of their country in military uniform. In the cold joylessness of English life he lost that genial cheerfulness which characterises the cultivated German; he became stiff, pedantic, and harsh and uncharitable in his judgments, so that even the task of training his children, which he entered into with great zeal, was only successful in the case of some of his daughters, and was wholly unsuccessful in the case of the heir to the throne. His self-assurance was very much enhanced by the calculated flattery of the British party-leaders, and by the innocent encomiums of continental constitutionalists. He looked down with arrogance on his illustrious fellow-princes in Germany; he imagined that he understood German politics better than they did, although, as a result of his long absence, he had long since lost touch with the affairs of his native country; and he did not realise that he was giving any cause for offence by constantly and pedantically exhorting the German princes to follow the lead of England. The Queen took up the same attitude. She

loved her consort so deeply that she folded his country as well as himself to her heart, and with true womanliness believed herself called upon to watch over its welfare. She imagined that, like her predecessors who had been Kings of Hanover, so she, in the character of Duchess of Saxe-Coburg, was a member of the German Confederation ; and the German courts offered a far less ungrateful soil for the delicate arts of feminine policy than did the English Parliament.

" Between London, Brussels, Wiesbaden, and Coburg there was established a chain of couriers, who maintained regular communications among the trusted intimates of the House of Coburg ; and there were side-lines to Paris and Lisbon. Though the English press, in its blind hatred of the foreigner, protested against the alleged ' German influence ' at the London court, Germany might, with more reason, have complained of an English and Coburg influence. The elder brother of the Prince Consort, Duke Ernest of Coburg, who was entirely German in his sympathies, felt this very strongly. Soon after he had mounted his little throne, he wrote to his Uncle Leopold : ' We must become loyal Germans again, for hitherto we have as a rule appeared as mere relations of the great courts of the West ; hence Coburg is looked upon as a nest of un-German intrigues and ultra-Liberal ideas.' But unfortunately nothing was achieved beyond noble resolutions. To prudent calculators like Leopold and Albert, the great West-European interests of their cosmopolitan dynasty naturally seemed more important than their little German native province ; and the advice of the Coburgs continued to be frequently detrimental to the interests of the German nation, all the more detrimental since this House, in every way favoured by Providence, had also the rare good fortune to be extolled in literature, not by the common flatterers of the courts but by loyal and distinguished writers. All the honest German scholars, who enjoyed the patronage of Bunsen and Stockmar in London, became the apostles of this legend of the Coburgs. They recounted in good faith to their countrymen at home,

how wonderfully the Prince Consort had contrived at the same time to become a thorough Briton and to remain a thorough German." [1]

(*c*) " The Foreign Ministry continued for a long time to send the British Cabinet unrequited professions of affection, especially since Bülow had stepped into the office of Count Maltzan, who had been smitten with an incurable disease after only a few months. As Minister, Bülow remained what he had been as Ambassador, such an unreserved admirer of England that Stockmar contentedly declared him to be the most capable of all the Prussian diplomats. On receiving the intelligence of the new Asiatic successes of the English, he expressed the congratulations of his Court through Bunsen, and added, in the fervour of his own enthusiasm : ' Bound to Great Britain by the ties of a long alliance and of a deep and enduring friendship, we are accustomed to look upon everything which promotes the glory and well-being of the British Empire, almost as if it had happened to ourselves.' [2] With such disinterestedness did these sentimental politicians, in the honoured name of the German State, assume a part of the responsibility for England's shameful opium war ! Certainly, Berlin was badly informed with regard to oriental affairs, since Bunsen believed everything that his British friends told him, and sent home indignant reports that his dear England had been shamefully calumniated in the matter of the opium trade.[3]

" It was impossible that this Anglomania, which after all only represented the personal sentiments of the King and his intimates, could continue very long. There was absolutely no motive for a political alliance of the two Powers ; even their economic interests lay at this moment in widely different directions. No sooner did Prussia raise her duties a little than Peel expressed deep indignation, as if the rights of England, whose own duties stood far higher,

[1] *Geschichte*, v. pp. 129-31.
[2] Bülow, *Instruction to Bunsen*, November 5, 1842.
[3] Bunsen's Report, December 10, 1842.

had thereby been infringed ; and though Bunsen soothingly replied, ' The Zollverein is still the best customer of your industry,' his royal master could not be unaware that it was essential that German industrial activity should outgrow this dependence.[1] How little importance the English nation attached to the German alliance was demonstrated at this time by Macaulay's essay on Frederick the Great. Even the French, who still held in esteem the philosophers of Sans Souci, had never expressed their opinions of Prussia with such a brutal arrogance and lack of understanding, and here, as elsewhere, the brilliant essayist was only expressing the average opinion of his educated countrymen. Frederick William's cultivated and artistic friend, Count Raczynski, also had some experience of British self-complacency. When, after a friendly reception at court, he ventured to ask whether German artists should not be invited to introduce painting in fresco into England, where it was almost unknown, the English painters protested with great heat,[2] and Sir Morton Shee replied proudly : ' Our school is recognised as the first in the world.' " [3]

§ 11. *Sir Robert Peel and the Free Trade Movement, 1842–46*

It is needless to say that Treitschke caricatures the views of Richard Cobden and the Free Trade school. But his account of the anti-Corn Law movement, and his analysis of the character of Sir Robert Peel, show him at his best. It is curious that Treitschke should date from 1846 the growth of materialism among the English upper classes. A closer acquaintance with the manners of English society in the eighteenth century would have shown him that the unpleasing traits which he regards as new were in reality very old ; though neither then nor in 1846 was it fair to represent English society as entirely wanting in ideals. The reader

[1] Bunsen's Reports, July 25, 1842, *et seqq.*
[2] Bunsen's Report, May 6, 1842.
[3] *Deutsche Geschichte*, v. pp. 133-4.

will notice that the decay of duelling is, in Treitschke's eyes, a crowning proof of "the triumph of vulgarity":—

"From the immediate future the disappointed German protectionist party could on the whole expect very little. The whole tendency of the age was unfavourable to them. The first trading power of the world, which had grown strong under the protection of her customs and navigation laws, was just returning to the path of free trade. England's political economy, as List [1] said bitterly, had now risen to such a height that she could boldly break away the ladders which had aided her ascent. The doctrine of the greatest happiness of the greatest number, which had first been expounded by the father of English radicalism, Jeremy Bentham, gained an increasing hold over the British nation; from this doctrine arose the desire for free trade and cheap consumption. The middle classes, who had forced their way into parliament as a result of the Reform Bill, directed their attacks in the first place against the corn duties, because they felt that such power as remained to the old nobility was partly due to the corn laws. The great multitude of the working classes, on the other hand, regarded with suspicion a movement which was political as well as economic; they trusted the middle classes even less than the land-owners, and they feared that the repeal of the corn laws would bring about a lower rate of wages, which was indeed the secret hope of many opponents of the corn laws. From the year 1839 the Anti-Corn-Law League, founded by Richard Cobden, carried on a campaign among the middle classes by means of meetings, newspapers, pamphlets, by itinerant speakers and mass petitions, by processions and industrial exhibitions, the manufacturers providing the League with abundant pecuniary resources. After six years of tireless agitation, the League had won over the great majority of the middle classes, especially in Manchester and

[1] Friedrich List, best known as the author of *Das National System der Politischer Oekonomie* (1844).

the industrial districts of the North-West; and the demand for free trade resounded far and wide throughout the country.

"In the writings of the new Manchester School there came to life once again that old theory of natural rights which had never yet been systematically refuted in England, and the tenets of which, like all lifeless abstractions, could be turned to equally good account by a dull materialism or by an extravagant idealism. Thus it was possible for John Stuart Mill to be enthusiastic at the same time for Wilhelm Humboldt and for English radicalism.[1] Agreeing with the formulas of Humboldt, and yet in the sharpest conceivable contradiction to him, Cobden regarded the State as an insurance society, founded by the free will of individuals, and intended solely to protect commerce and labour from violent disturbances, and to exact the lowest possible premiums from its clients. The accumulation of wealth was for him the sole object of human life; rapid means of locomotion for commercial travellers and the cheap production of cotton were the highest aims of civilisation. He declared in perfect seriousness that Stephenson and Watt had been incomparably more important in the history of the world than Caesar or Napoleon. If only now, for the first time, trade and commerce were allowed their natural freedom, then every nation would infallibly devote itself to those branches of industry which it could pursue with the greatest profit; thus each nation would play into the hands of all the others by an exportation which should always correspond exactly with its importation; a harmony of interests would be automatically established; the sinful luxury of a standing army would cease; swords would be beaten into ploughshares, in fulfilment of the predictions of the old prophets, and eternal peace would dawn upon the world. Cobden had a sincere love for the working classes; he wished to benefit them by a reduction in the price of bread. He even defended compulsory school-

[1] The reference is to Mill's Essay on Liberty, reviewed by Treitschke in *Die Freiheit.*

attendance, because it was necessary that the intelligence of the factory hands should be tolerably enlightened in order that their labour might produce the greatest material results ; factory-laws, on the contrary, he condemned as an encroachment on the liberty of the individual.

" Such a gospel of mammon-worship threatened to mutilate the human race ; it threatened to extinguish all the heroism, all the beauty and sublimity, all the idealism of the human soul ; yet this doctrine of voluntarism, of an unrestricted social competition replacing any kind of State compulsion, was characterised by a certain daring self-assurance which was bound to attract men of energy and enterprise. Yet that great intellectual development which marked the age of the Revolution had wholly vanished in this struggle for the freedom of the individual against the control of the State. Even Cobden felt an almost sentimental enthusiasm for the sober idea of improvement, of material progress ; he looked upon himself as the chosen apostle of the well-being of the nations at large. To be sure his cosmopolitan doctrine, originated by a self-complacent and insular nation, which looked with contempt upon all foreigners, could not be altogether free from certain crafty and unexpressed commercial motives. He himself showed more appreciation than most of his countrymen for foreign peoples ; he admired the Prussians ; even the unity of Germany and of Italy did not appal him. Nevertheless, at the very beginning of his public activity, he said openly : ' Our only goal is the lawful interests of England, without regard to the ambitions of other nations.' His doctrine of a universal free exchange of commodities was based on the tacit assumption that England was to control the wholesale industries of the whole world, and that only the primary industries, and a few others which would be difficult to transplant, should be left to the other nations. Just as Canning and Palmerston had relied on the phrase ' constitutional,' so now Cobden relied on the phrase ' free trade ' as a profitable article of export, which should make

the tour of the globe, and enlist all the nations in the interests of British trade-supremacy. As soon as the shrewd manufacturers perceived this hidden purpose of the free trade doctrine, the movement strengthened irresistibly, until the leading statesman of the moment, Robert Peel, could no longer restrain it.

" Although Peel, as the son of a rich cotton-spinner who had risen by his industry and sagacity, himself belonged to the middle classes, he did not in the least share Cobden's view of life. Like his father, to whom the working classes always remained grateful for countless proofs of practical humanity, he always stood high above the class-selfishness of the manufacturers. He grew up in the convictions of the Tory party, of the High Church, of the old-fashioned solid classical education, and he saw in Pitt the ideal statesman ; this calm, deliberate, cautious man seemed a born conservative. Yet fate assigned to him the rôle of a reformer. The rapidly changing times forced him again and again to examine carefully the views of his party ; and as soon as he saw that they were no longer adapted to the welfare of the country, he stood up constantly, with high moral courage, for what he had recognised as a new truth, regardless of the disapproval of his old friends, regardless of that narrow party-convention known as ' ethics of party.' Rarely has a statesman changed his opinion so often on great political questions, without ever being untrue to himself. Even as a young man, Peel ventured in Parliament to contradict his own father, the authority by whom he had always been guided, and to support the resumption of cash-payments by the Bank of England. Then, like Wellington, he recognised the necessity for the emancipation of the Catholics, hitherto contested by all the Tories ; and he defended this reform, which opened the way for all the democratic innovations of the next decade. The Reform Bill, however, he opposed obstinately to the very end ; but, when the decision came that the middle classes were to be admitted into the House of Commons, he could no longer

disguise from himself that the centre of gravity of the old aristocratic edifice of the State had been shifted. Now, as a minister, he resolved to yield to the irresistible agitation for free trade, and thus to continue the policy of the Reform Bill.

" The majority of his Tory friends disowned him. In league with his old opponents, the Whigs and the Radicals, he went on his way, amid the cheers and plaudits of the middle classes, a statesman who did not rule his age by force of original and creative ideas, but rather conscientiously learnt the lesson of his age, and as an orator, if not brilliant, was at least powerful by his honesty and frankness and his courage in accepting the inevitable. The proud lords of the old Tory nobility cursed the cotton-spinner who, in spite of his princely wealth, had always remained a plebeian, and had infamously betrayed his party; and Benjamin Disraeli, the young Hotspur of the Tories, said, ' Such a conservative government is nothing but a huge imposture.' But already the working classes were beginning to turn their attention to the socialistic theories of Chartism, and they besieged Parliament with gigantic petitions for the extension of the rights of the people. The dull resentment of the masses, and the critical condition of trade in the North-West, compelled the Government to take action.

" In the year 1842, almost two-thirds of all the customs rates of the old tariff were either cancelled or reduced. Other reductions in the customs rates soon followed. Then in the year 1845 a serious failure of crops brought unspeakable misery over the island kingdom, and especially over Ireland. It was apparent to every one that Great Britain had become an industrial country. Her native agricultural industry no longer sufficed to feed the enormously increased urban population. After these experiences Peel risked a decisive step. In May 1846 the corn duties were repealed. The Lords gave their assent, because Wellington, the Iron Duke, warned them that if they did not agree now of their own free will, the Upper House would at a later day be

either coerced or else abolished. So hopeless already was seen to be any resistance to the rising middle classes. A few weeks later Peel was obliged to resign. His old opponents had helped him to victory; now his vanquished friends took their revenge. If he dissolved Parliament, he would be sure of securing a large majority, but—so he said to Bunsen—only with the support of the Radicals, and 'I will not go with the Radicals.'[1] So he retired, a victim of party-spirit; and for a long time the middle classes continued to extol him as the most popular of all the British statesmen. He knew that, in the same spirit that had animated his noble father, he had secured a great benefit for the working classes, but that he had in addition strengthened the commercial power of his country; for an uncompromising national self-assertion was as sacred to him as to all his countrymen. For the purposes of a commercial policy he did not disdain to resort to the trivial artifice of empty deception; he said once to the Prussian ambassador: 'It is essential for you to come to an understanding with us over the customs question, for otherwise it might easily happen that a Franco-American naval alliance would threaten the economic and political independence of the Continent.'

"His inheritance was taken over by the Whigs, who were from this time frequently obliged to join forces with the Radicals, although their own leaders, almost without exception, belonged to the proudest and most distinguished families of the aristocracy. Lord Palmerston, who was again installed in the Foreign Office, was able now to pursue with redoubled energy his old policy of secretly disturbing the peace of the world; he taught the bears on the Continent to dance now to the tune of Liberalism, now to the tune of Free Trade. The victors revelled in a boundless self-adulation. Cobden cried, in the intoxication of his delight, 'Free trade is the international law of the Almighty; not only England but the whole world is now and for all time

[1] Bunsen's Report, July 10, 1846.

concerned in the struggle of the Corn League.' His disciples compared the year 1846 with the Revolution of 1688. And of course the repeal of the Corn Laws had a profound influence on all social relations ; it democratised society, as the Reform Bill had already democratised the State.

" Though Cobden had always assured the landowners that they would not suffer by the repeal, this attempt at conciliation was at once proved to be either an error or else an intentional deception. Agricultural rents sank considerably ; and as the English nobility always knew how to adapt themselves to the times, they realised very soon that the only way in which they could possibly maintain their authority over the middle classes was by the powerful aid of the middle classes themselves. Since landed property was no longer sufficiently remunerative, they began to concern themselves in railways, banks, and industrial enterprises of every description. It was not long before the son of the Duke of Argyll, without causing any scandal, was carrying on a profitable trade in wine. Old notions of honour and old class prejudices vanished before the omnipotence of money, whereas the German nobility were still poor, but still chivalrous. A commercial spirit pervaded the whole life of the nation. That last indispensable bulwark against the brutalisation of society—the duel—went out of fashion, and soon disappeared completely ; the riding-whip supplanted the sword and the pistol ; and this triumph of vulgarity was celebrated as a triumph of enlightenment. The newspapers, in their accounts of aristocratic weddings, recorded in exact detail how much each wedding-guest had contributed in the form of presents or in cash ; even the youth of the nation turned their sport into a business, and contended for valuable prizes, whereas the German students wrought havoc on their countenances for the sake of a real or imaginary honour. The gulf between German and British manners widened more and more. Such traces as remained of the puritans of Shakespeare's merry old England were completely submerged in the prose

of commercial life. Therefore the attitude adopted by the island kingdom towards the other States of the world was more than ever determined by the calculations of a commercial policy." [1]

§ 12. *Great Britain and the Schleswig-Holstein Question, 1846*

In 1846 Christian VIII. of Denmark issued an ordinance or " Open Letter " declaring that the Danish State (including the duchies of Schleswig and Holstein) was indivisible, and that it could pass by inheritance to females. This decree was resented by the German population in the duchies who had hoped that, by the extinction of the male line of the Danish dynasty, Schleswig and Holstein would be separated from Denmark, and that they would then be ruled by a German prince. Treitschke suggests that Great Britain opposed the wishes of the majority of the population in the duchies, and did so in order to keep Kiel out of the hands of Prussia :—

" The Great Powers thought quite otherwise. They all adhered to the inflexible dogma that the integrity of the Danish monarchy was necessary for the maintenance of the balance of power in Europe. Innocent folk might well ask in astonishment why the balance of power in Europe would be shaken, if the little State on the Sound and the Belt were reduced from two and a half to one and a half millions ? Any one who looked deeper, however, could not fail to recognise that there were serious grounds for the view of the larger courts ; it was rooted not only in the peacefulness of the time, but also in the general anxiety occasioned by the rise of Germany. No one doubted that the duchies of Schleswig and Holstein, having broken away from Denmark, would attach themselves firmly to Germany ; that they would summon Prussian troops to protect them, and that they might even concede to the Prussian fleet, the

[1] *Deutsche Geschichte*, v. pp. 475-480.

first ship of which had just been launched, the finest harbour on the Baltic. A German naval port at Kiel! This thought alone was sufficient to rouse indignation in every English heart. Moved by their hatred of Germany, Denmark's hereditary enemies, the British, now appeared as friendly patrons of the court at Copenhagen. Immediately after the appearance of the 'Open Letter,' the *Times*—then still the powerful organ of national opinion—wrote: 'The Prussian statesmen cannot be acquitted of the reproach of having actively supported a feverish agitation, an agitation detrimental to the peace of a neighbouring country, because it occurred to them that it would provide an agreeable amusement for the German nation, and also, possibly, because they wished to distract the attention of the German nation from other questions far more practical and far nearer home.' Then Germany was warned against that greed of territory which had already proved dangerous in the New World, and which would be fatal in the heart of Europe. With such hypocrisy as this, a nation, which had year after year been appropriating to itself new colonies, dared to abuse the Germans, because they humbly wished to preserve the heritage of their fathers! The Government still held back: it desired first of all merely that the integrity of the Danish State should be preserved, no matter under which dynasty; for it regarded this State, strangely enough, as a bulwark against Russia!" [1]

§ 13. *The Foreign Policy of Lord Palmerston, 1847–48*

In the following passages Treitschke apparently attributes to Palmerston more craft than that distinguished statesman ever showed. Lord Minto's mission to Italy "to found in Italy a Whig party, a sort of Brooks' Club at Florence," was as well intentioned as it was resultless. It was probably the idea of Palmerston's chief, Lord John Russell, the most

[1] *Deutsche Geschichte*, v. pp. 580-1.

amiable of Whig doctrinaires. In the Swiss question—the feud between the Protestant cantons and the Catholic *Sonderbund*—Palmerston's chief anxiety was to prevent either France or Austria from intervening by force of arms; he defended the neutrality of Switzerland against the designs of Guizot and Metternich. The Spanish marriage question, which is mentioned in our second extract, had arisen in 1846; it was a dispute between England and France over the marriages of Queen Isabella and her sister. In all these transactions the worst that can be said of Palmerston is that he systematically watched and foiled the diplomacy of Metternich and of Guizot.

(*a*) "So Palmerston was able to come forward boastfully as the generous protector of Italy. Also he was applied to for advice by the helpless Pius, and the great Catholic pulpit orator of London, Bishop Wiseman, through whom the appeal was transmitted, hinted that the Pope could not wholly trust either the Vienna or the Paris court. Lord Palmerston immediately sent his eccentric Radical friend, Charles Minto, as ambassador to Turin, and then with secret instructions to Rome, where Great Britain dared not, in view of her ancient laws, allow herself to be officially represented; and he said scornfully to Bunsen: 'That will not please Metternich, but an English fleet in the Adriatic will please him even less.'[1] Minto's suite comprised a whole crowd of young men out of office, who with astounding insolence proclaimed on all sides at the courts the approaching revolution. Nothing lay further from the minds of these distinguished demagogues than an honest sympathy with Italy's misfortune; they merely wished to thwart Palmerston's enemies, Metternich and Guizot, and to foster that dissension on the Continent, which was so advantageous to England's commercial policy. Bunsen, to be sure, for whom no English cunning was too flagrant, allowed himself to be deceived once more, and wrote enthusiastically: 'The fight in the cause of the constitutions is becoming "a question

[1] Bunsen's Report September 28, 1847.

of political religion, in which England fills the office of High Priest.'' [1] Palmerston as a High Priest !—this amusing notion could certainly have only originated in the brain of the Prussian ambassador, filled as it was with enthusiasm for his foreign brothers ; and Canitz refused to believe that in a nation, which hitherto had boasted of its sound practical intelligence, ' political fanaticism should have been established as a permanent institution.' [2] His king, however, declared, when he became acquainted with the intolerable squabbling of the diplomats of the western powers : ' The English ambassadors at Piedmont and Greece seem to me, with all due deference, to be ripe for the madhouse—overripe.' [3] Metternich had good reason to complain that Lord Firebrand was resuming the old ' Aeolus policy of Canning ' ; the statesman who protested most vigorously against a policy of intervention is himself intervening everywhere ; he is *le plus intervenant de tous*. And whatever the English court could do to kindle fresh sparks in this universal firebrand, it did with all its might." [4]

(*b*) " What a splendid opportunity for Palmerston to take at last his revenge for the Spanish marriages ! He only needed the diplomatic verdict (which would in any case involve a considerable delay owing to the great distance which separated the five courts), to be able to hold out a little longer, until the Sonderbund was demolished by the weapon of the twelve majority. As early as September, his faithful Lord Minto, on his journey to Turin, had conferred with Ochsenbein and had learnt with delight that the leaders of the Radical insurgents had resolved to make a prompt attack.[5] The Prussian ambassador, too, judged the situation rightly ; he wrote home in his report : ' Every day of delay is hastening the collapse of the Sonderbund.' When at length the Duke de Broglie presented Guizot's

[1] Bunsen to Canitz, April 16, 1847.
[2] Canitz to Bunsen, September 25, 1847.
[3] King Frederick William to Bunsen, October 8, 1847.
[4] *Deutsche Geschichte*, v. pp. 721-2.
[5] Bunsen's Report, September 28, 1847.

draft memorandum, Palmerston was for the moment scarcely able to contain his malicious joy, and in a scornful note he replied that he admired the wording of the document, that he saw very well that it was a question of a second edition of the Cracow affair,[1] and that he could never lend his hand to assist in making Switzerland another Poland. Thereupon—general indignation at the great courts ; King Frederick William wrote to Bunsen : ' This witticism of your Whig friend smacks of over-addiction to oysters and champagne. It is the child of the Guizot-Metternich hatred, that is to say, of the vilest apparition on the diplomatic horizon since the July days.' [2] Meantime Palmerston artfully made an appearance of giving way, and declared himself prepared to discuss a general memorandum. Thence another delay of several days, during which the English ambassador in Switzerland, the young son of Robert Peel and a personal friend of Ochsenbein, contrived that General Dufour [3] should be privately urged to open the attack as quickly as possible. Again there was high indignation at the great courts when this new breach of faith was made public. Frederick William refused to believe that this ' rascally young Peel " could be the son of the man who had the soul of a duke and the heart of a commoner.[4] But had Austria and France behaved any more honourably when they supported the Sonderbund with money and arms ? Once again was revealed the utter falseness of the old system of advisory congresses. The European States were bound to one another by too many and diverse interests ; the high court of justice of the Five Powers could never deal quite impartially with any serious matter of dispute.[5] . . . How absurd appeared now, after the issue had long been decided,

[1] The free city of Cracow had been annexed by Austria in November 1846.

[2] Count Arnim's Report, November 22 ; King Frederick William to Bunsen, December 8, 1847.

[3] The General of the Protestant cantons.

[4] King Frederick William to Bunsen, December 4, 1847.

[5] *Deutsche Geschichte*, v. pp. 730-31.

the mediatory note (*Vermittlungsnote*) which the Great Powers at length agreed to transmit, on December 7. Palmerston had attained his purpose, and now indulged in one more of his malicious jokes. The great Elchi of Pera, Lord Stratford Canning, had in the meantime appeared in Switzerland as plenipotentiary extraordinary, and exerted himself, with English modesty, on the one hand, to coax the ambassadors of the Great Powers into a better humour, and, on the other hand, to warn the Diet against the propaganda of European Radicalism. He had received secret instructions not to present the mediatory note (*Vermittlungsnote*), which had been countersigned by Palmerston, in case the Sonderbund had in the meantime been overthrown. Thus England stood aloof; and Palmerston was filled with delight when the four other Powers alone were apprised, in a curt note of refusal from the Diet, that any mediation was superfluous, as the two parties of the Confederation no longer existed. This snub to the Great Powers was everywhere received by the Liberals with loud derision; their party feeling had reached such a pitch that the overthrow of the Sonderbund seemed to them like a defeat of the old European order. Thiers said in the Chamber that the conduct of Guizot was a counter-revolution in itself. The Diet received congratulatory addresses from France, from South Germany, and from Saxony; even Jacoby, with his Königsbergers, solemnly expressed his thanks to the Swiss; and Freiligrath sang:

Im Hochland fiel der erste Schuss,
Im Hochland wieder die Pfaffen,
Da kam, die fallen wird und muss,
Ja die Lawine kam in Schuss,
Drei Länder in den Waffen!
Die Freiheit dort, die Freiheit hier,
Die Freiheit jetzt und für und für,
Die Freiheit rings auf Erden!

"The Swiss negotiations brought down scorn and

mockery on all the Continental Powers, and to the King of Prussia they brought in addition a severe personal and political mortification. Frederick William was too proud and too honourable to take part in the secret despatch of arms and money. But only the more earnestly did he desire the open intervention of the whole of Europe on behalf of the threatened Federal right of the Confederation. Swiss Radicalism, which at bottom was very little attracted towards the projects of the cosmopolitan propaganda, seemed to him like a disastrous hotbed of European anarchy. As early as the summer of 1846 he wrote to London : ' It is absolutely necessary that Prussia, for the sake of Neuchatel, should preserve the canton's sovereignty intact, in accordance with existing agreements.' When, therefore, the double-tongued policy of England was revealed, he cried out bitterly that Great Britain had abandoned Prussia, her best and most powerful ally ; and Canitz complained : ' The guiding principle of the British Cabinet is partly a passionate hatred against Guizot and Metternich, partly a deep-seated interest in every struggle against the existing order, under the pretext of progress ; its firm is bankrupt of legitimacy.' Wonderful how this ingenious king slapped his own face. In Vienna and Frankfort he honourably represented the reform of the German Bund, and in Switzerland he fought passionately against political ideas which after all were directed towards the same end. How often had his father valiantly resisted every attempt at interference by the western Powers in German Federal politics ; although the chief article in the constitution of the German Confederation also figured in the Act of the Vienna Congress. Now his son was desiring that the Great Powers should join together to fight for the unrestricted sovereignty of Uri, Schwyz, and Unterwalden ! Even General Gerlach, who already considered the Germano-maniac plans of Federal reform of his royal master much too bold, could not repress the obvious question : ' With what show of reason can we keep the western Powers from interfering in German Federal

reform, if we ourselves summon them to intervene in the affairs of the Swiss Confederation ? ' " [1]

§ 14. *Great Britain and Turkey, 1876–77*

The following extracts are taken from two essays which relate primarily to the Eastern Question. The two first occur in an essay on " Turkey and the Great Powers," which is dated June 20, 1876—a few weeks after the Bulgarian atrocities, and while it was still uncertain what steps would be taken by Europe to end the Turkish scandal. Russia was anxious to embark single-handed on the reform or the destruction of the Ottoman Empire ; Great Britain, under the guidance of Disraeli, desired to reform the Ottoman government through a conference of the great Powers. The other essay is entitled " The European Situation at the End of 1877." It is dated December 10, 1877—about a month before Russia was unwillingly compelled, by threats of British intervention, to conclude the armistice which ended the Russo-Turkish War and saved Constantinople from her grasp. Treitschke makes England's conduct in 1876 and 1877 the text for a general attack upon her diplomacy. It is interesting to notice that Treitschke was in favour of destroying the Turkish power altogether :—

(*a*) " To compare present-day England with eighteenth-century Holland is to go too far ; in the vast machinery of its social life the nation still shows a mighty energy ; and it may very well happen that, if England believes that the vital interests of her trade have been injured, she may once again astonish the world by some act of resolute daring. But certainly the intellectual horizon of her statesmen is quite as narrow, and her view of life is quite as antiquated in its narrow-mindedness and quite as obdurately conservative, as was once the policy of the declining Netherlands.

[1] *Deutsche Geschichte*, v. pp. 732-4.

Over-rich and over-satiated, vulnerable at a hundred points of their widely scattered dominions, the British feel that they have nothing more in the wide world to wish for, and that, to the young and developing forces of the century, they need still only oppose the mighty weapon of a vanquished age. Therefore they obstinately resist any changes in the international system, no matter how beneficial these might be. England is at the present day the unblushing representative of barbarism in international law. It is England who is to blame if naval warfare, to the shame of humanity, still bears the character of privileged robbery. It was England who, at the Brussels Conference,[1] opposed and frustrated the attempt of Germany and Russia to set some limits to the devastation of land warfare. Apart from the feeble and utterly unprofitable sympathy which the English press professed for the unity of Italy, the British nation has, during the last two decades, shown towards every rising nation confident in its own future, nothing but a malicious hostility. England was terribly distressed at the wickedness of the North American slave-dealers; she was the shrieking but (God be thanked!) cowardly advocate of an alien Danish rule in Schleswig-Holstein; she venerated the Federal Diet and the Guelph dynasty; she allowed the French to attack united Germany, though she could have prevented it, and she prolonged the war by her trade in arms. When Monsieur de Lesseps conceived the brilliant idea of the Suez Canal,[2] which the ruler of India ought to have welcomed with open arms, Great Britain buried her head in the sand like the ostrich, in order that she might not see this blissful, but at the moment inconvenient, necessity; the great work was sneered and scoffed at until it was completed, and then England attempted to exploit for her own advantage an innovation which had been accomplished against her will. And, after all these accumulated proofs of the incapacity and the

[1] In 1865.

[2] He obtained his first concession in 1854; the canal was opened in 1869.

narrow prejudices of British statesmanship, can we Germans be expected to admire this State as the great-hearted defender of international freedom and of the European Balance of Power ? Only too audible are the echoes of those high-sounding words, with which England is pleased to cloak her Eastern policy ; that old alarmist cry : ' It is the Ganges that we are defending on the Bosporus.' And why should we break England's head on behalf of the Indian Imperial Crown ? " [1]

(*b*) " But England cannot wait. A policy which, like that of Metternich, merely strives to preserve existing conditions because they exist, lives from hand to mouth ; it needs from time to time some noisy and theatrical demonstration, in order to prove to the world that it still lives, and is prepared to protect Europe from the imaginary dangers that beset her. Four notions in particular seem to animate this paltry statesmanship. In their blissful seclusion, the inhabitants of this rich island have preserved an antiquated notion of a European Balance of Power, and they torment their brains with horrid visions which, since the Revolutions in Italy and Germany, have lost any justification. They are terribly alarmed for their Mediterranean bases, and fail to see that England's incomparable mercantile marine is bound to give her the upper hand in the Mediterranean, even if these positions were restored to their natural owners—an eventuality immeasurably far from realisation at present. Great Britain desires at any price to preserve the existence of the Ottoman Empire, because the ridiculous commercial policy of the Turks has opened a vast hunting-ground to the English trader. To be sure, it only requires a little foresight to perceive that, if tolerable political conditions were established in the Balkan Penisula, the commerce of these countries would necessarily be stimulated, and the greatest trading nation in the world would therefore reap an advantage ; but these monopolists have at all times preferred a small sale with a large margin of

[1] *Deutsche Kämpfe*, ii. pp. 361-3.

profit to modest profits from a larger sale. Rejoicing in the momentary advantage, they continue to swear by the words of Palmerston: 'I will not enter into discussion with any statesman who does not recognise the existence of Turkey as a European necessity'; and they forget that this same Palmerston said in his last years: 'We will not a second time draw the sword on behalf of a corpse.' Just as once, when it deemed the acquisition of the Ionian Isles to be expedient, this commercial policy delivered over the unfortunate town of Parga [1] to the savage cruelty of Ali Pasha, now at the present day it is providing the Turks with money and weapons for the massacre of the Christians of Bosnia. Finally and most important of all, England is trembling for her Indian possessions; the new imperial crown and the utterly disastrous visit of the Prince of Wales [2] show how heavily this anxiety weighs upon her.

"It is feared in London that Russia might control the Suez Canal from Stamboul; and therefore, by overtures to the Caliph, Great Britain has tried to keep the Mussulmans of Hindustan in a good humour and to guard them from Muscovite cunning. Any one who regards the victorious progress of the Russians through Central Asia, not with the pessimism of a Vambery, but with an open mind, will ask indeed what cause England can find for alarm. The idea that Russia may casually put in her pocket the two hundred million souls of the Anglo-Indian Empire is in truth nothing but a bad joke; and if it finds a few supporters in Europe, it is merely because the vast distances in Asia appear so insignificant on our maps. Rather both States have reason to fear in the East a common enemy—the fanaticism of Islam—and, by dint of a little good-will on both sides, an

[1] In 1814 the inhabitants of Parga (a Greek town in Epirus) placed themselves under British protection to escape from their impending subjection to Ali Pasha of Janina. But in 1817 the British Government handed Parga over to Ali Pasha in recognition of his past services against the French. The inhabitants were offered an asylum in the Ionian Isles.

[2] In the winter of 1875–76; this visit was the occasion for Queen Victoria's assumption of the title Empress of India.

understanding with regard to the demarcation of their respective spheres of supremacy might have been possible fifteen years ago. At the present day it is scarcely possible. It lay with England to invite this understanding; for her position as an Asiatic Power was far more seriously threatened than were Russia's new possessions. What did a defeat in this barbarous country matter to Russia? She lost a few hundred miles, and won them back, from the fastnesses of the interior, a few years later. For England, on the other hand, a successful insurrection in India might have terrible consequences. It would not, to be sure, shatter altogther the force of old England—the power of the queen of the sea would even then remain very great—but it would give that power a severe shock, and would result in a terrible loss for human civilisation, since the provinces of India would be abandoned to a vast civil war. The task of governing hundreds of millions of natives by a few hundred Europeans is immeasurably difficult. All the most important interests of England demanded that she should fearlessly make an attempt to establish good relations with her troublesome neighbour in the North; but, haunted by the fixed idea of a Russian world-empire, England's statesmen and her people zealously obstructed this understanding. Every fresh conquest of the Russians was greeted by the English press with hostile bitterness. If England sent an agent to Kashgar, where he certainly had no business to be, that was quite in order; but if Russia sent an agent to Khiva, where he had equally no right to be, all England cried out at the wickedness of the Muscovites. Not merely the irresponsible press, but even influential circles, gave vent to such cries of distress as accorded little with the ancient manliness of the English character. The famous book of General Rawlinson,[1] which could scarcely have appeared without the tacit approval of the highest authorities in India, practises freely the art of

[1] The well-known Assyriologist, Sir Henry Rawlinson, published in 1875 a book on *England and Russia in the East*, which produced a sensation at the time.

talking of the devil till his imps appear. Thus, by constantly proclaiming to the world that the Russians were to be feared as enemies, Great Britain aggravated the dangers of the situation. England's rule in India is based fundamentally on her moral reputation ; as soon as the natives of India begin to suspect that a formidable enemy of their British rulers is advancing in overwhelming strength towards the Indus, the ties of obedience may very well be relaxed. It was this openly expressed fear of Russia which drove the Court of St. Petersburg to an unfriendly and sometimes perfidious policy. It went unconcernedly on its way, and from time to time consoled the uneasiness of its British neighbours with insincere professions of affection. Without indulging unreasonable suspicion, we might at the present day hazard the conjecture that these Asiatic conquests constitute for the Russian Government not merely an end in themselves, but also a means towards the realisation of another purpose : Russia intends to prepare difficulties for the English in India, in case the downfall of the Turkish Empire should be followed by a world-war.

"Thus English statesmen waver to and fro between old-fashioned prejudices and nervous apprehensions ; their own interests and a feeling of inward elective affinity enable them to pose before the Turks as their only true friends. Their most recent feat—the dethronement of the Sultan,[1] was a very skilful move, and nothing more ; it only proved that England thoroughly intends to assert her influence on the Bosporus ; for who could seriously give credence to the edifying fairy-tale that the Tsar Alexander wished to break up the League of the Three Emperors, and was only prevented by England's watchfulness from conquering Byzantium. But in vain shall we look for any creative idea in a Tory government. The Tories scarcely trouble to ask whether

[1] Abd-ul-Aziz was murdered, or committed suicide, in June 1876, after he had been deposed, on the ground of incapacity, to make way for the still more incapable Murad V. It is highly improbable that Great Britain inspired this revolution ; and Treitschke was not in a position to know the facts.

the existing order is worth preserving or even capable of being preserved ; they feel with shame how greatly England's reputation has declined during the last decade, and they endeavour, by dint of noisy demonstrations, to cry halt to the world's history. Can such a barren policy as this hope to find allies among the great Powers ? " [1]

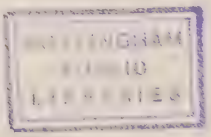
(*c*) " The Koran says : ' The Mussulmans alone are men ; despise all other nations : they are impure.' For a State which lives and must live in conformity with such laws as these, there is no longer any room in Europe. The expulsion of the Asiatic peoples from the ground of Western culture is a duty, which, up to the present, one century after another has left unfulfilled ; and even now, so it would seem, the great task will be but half accomplished. Yet even this half-success is a gain for civilisation, and it is all the more to be prized, since it is preparing a well-merited humiliation for the policy of England. The fallacious security of insular life has bred in the English State and people an arrogant disregard for the feelings of foreign nations, such as no continental nation would venture to indulge. The tone of the English press, in discussing foreign affairs, exhibits a sinister similarity to those arrogant utterances which marked the newspapers of the declining republic of the Netherlands at the beginning of the eighteenth century ; in each case the nation attempts to console itself for a loss of power by a morbidly exaggerated self-confidence. It seems altogether to escape the observation of these serenely self-satisfied islanders, that gradually their fundamental contempt for all progress in international law, and the professional bias of the British authorities against all foreign ships, are working upon the public opinion of the whole of Europe, and that by degrees an immense hatred and disdain for England has accumulated on the Continent. Of the sense of justice of the British people one more edifying example has just been afforded in the annexation of the Transvaal Republic, an absolutely flippant proceeding, which had not the excuse

[1] *Deutsche Kämpfe*, ii. pp. 396-9.

of any sort of reasonable motive. Towards the weak John Bull still shows invariably that same disposition which once prompted the bombardment of Copenhagen; before the strong he humbles himself, and sighs dolefully with his minister, Cardwell;[1] 'The English alliance has little value for other nations, since we have nothing to offer them save our sincere love of peace!'"[2]

[1] Lord Cardwell was successively Secretary of State for Ireland, the Colonies, and War in the years 1859–74.

[2] *Deutsche Kämpfe*, ii. pp. 464-5.



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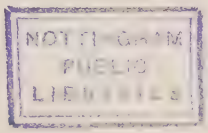

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